

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOWELL: A bill (H. R. 12410) granting a pension to Clara J. Cunningham; to the Committee on Invalid Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 12411) granting an increase of pension to Ophelia Shoemaker; to the Committee on Invalid Pensions.

By Mr. JACOBSTEIN: A bill (H. R. 12412) granting an increase of pension to Alice L. Briggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12413) granting an increase of pension to Elizabeth Crosson; to the Committee on Pensions.

Also, a bill (H. R. 12414) granting an increase of pension to Rachel Walters; to the Committee on Pensions.

Also, a bill (H. R. 12415) granting an increase of pension to Caroline Whitney; to the Committee on Pensions.

By Mr. KENT: A bill (H. R. 12416) granting an increase of pension to Hannah S. Link; to the Committee on Invalid Pensions.

By Mr. RANKIN: A bill (H. R. 12417) granting a patent to W. M. McLeod and Mary Pearson McLeod Hambrick; to the Committee on Public Lands.

By Mr. BURDICK: Joint resolution (H. J. Res. 372) granting permission to Walter Stanley Haas, lieutenant commander, United States Navy, to accept a decoration bestowed upon him by the Government of Ecuador; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3889. By Mr. ABERNETHY: Petition of the American Legion, Department of North Carolina, through its commander, Wade H. Phillips, urging Congress to pass the Lineberger bill for the retirement of emergency disabled officers of the World War; to the Committee on World War Veterans' Legislation.

3890. Also, petition of Leon L. Daughtry Post, No. 22, American Legion, Clinton, N. C., through its commander, A. S. Bethune, favoring the passage of the bill to retire emergency disabled officers of the World War; to the Committee on World War Veterans' Legislation.

3891. By Mr. CULLEN: Petition of the Maritime Association of the Port of New York, favoring Senate bill 3927 (the Butler bill), which aims to correct discrimination by placing all ports on the Atlantic seaboard on a parity so far as inland-rail rates are concerned; to the Committee on Interstate and Foreign Commerce.

3892. By Mr. GRAHAM: Petition of C. V. Gregory, editor of *Prairie Farmer*, opposing amendment to Capper-Haugen cooperative bill to legalize operations of grain marketing bill; to the Committee on Agriculture.

3893. By Mr. LEAVITT: Petition of the Poplar (Mont.) Woman's Club, urging entrance of the United States into the World Court on the basis of the Harding-Hughes reservations; to the Committee on Foreign Affairs.

3894. By Mr. MEAD: Petition of the Maritime Association of the Port of New York, expressing unqualified approval of S. 3927; to the Committee on Interstate and Foreign Commerce.

3895. Also, petition of the Buffalo Chamber of Commerce, favoring legislation that will discontinue printing by Post Office Department of stamped envelopes with the name of sender; to the Committee on the Post Office and Post Roads.

3896. By Mr. MORROW: Petition of the Southern New Mexico Association, favoring congressional appropriations for the development of Carlsbad Caverns National Monument, New Mexico; to the Committee on Appropriations.

3897. By Mr. RAKER: Petition of the Purchasing Agents Association of Los Angeles, Calif., indorsing H. R. 9629, the reorganization bill; to the Joint Committee on Reorganization of Executive Departments.

3898. Also, petition of the American Farm Bureau Federation, protesting against removal of Pullman surcharge rates; also, letter from F. Pottle, of Rescue, Calif., protesting against the passage of the antirearms bill; to the Committee on Interstate and Foreign Commerce.

3899. Also, petition of Josephine E. Washburn, California State chairman of legislation, urging passage of H. R. 9095, to incorporate the American War Mothers; to the Committee on the Judiciary.

3900. Also, telegram from William E. Johnson, of Oakland, Calif., indorsing and urging passage of H. R. 6484, for retirement of emergency disabled officers of World War; also, letter

from Josephine E. Washburn, of Richmond, Calif., favoring legislative recommendations of National Reserve Officers Association; to the Committee on Military Affairs.

3901. Also, letter from the National Council of Farmers' Cooperative Marketing Associations, Washington, D. C., protesting against any legislation which will bring cooperative marketing associations under jurisdiction of a governmental board with power to license, audit, and otherwise control them; also, telegram from the California Forest Protective Association, of San Francisco, Calif., urging passage of Senate bill 4156, to establish a forest experiment station in California; to the Committee on Agriculture.

3902. Also, petition of C. C. Thomas Navy Post, No. 244, American Legion, of San Francisco, Calif., urging passage of McSwain resolution relative to universal draft; to the Committee on Military Affairs.

3903. Also, letter from the Oakland Chamber of Commerce, Oakland, Calif., relative to the pending treaty between the United States and Germany; also, letter from the General Motors Corporation, of New York City, N. Y., indorsing and urging passage of the Temple resolution (H. Res. 336); to the Committee on Foreign Affairs.

3904. Also, petition of the San Francisco Chapter of the American Institute of Architects, urging support of the King bill (S. 4253); to the Committee on Public Buildings and Grounds.

3905. By Mr. SITES: Petition of sundry residents of Dauphin County, Pa., protesting against the passage of the compulsory Sunday observance bill (S. 3218); to the Committee on the District of Columbia.

3906. By Mr. SWING: Petition of sundry residents of Escondido, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3907. By Mr. WILLIAMS of Michigan: Petition of Edward King and 15 other residents of Battle Creek, Mich., protesting against the passage of the bill S. 3218, the Sunday observance bill, so called; to the Committee on the District of Columbia.

3908. By Mr. WYANT: Petition of Sergeant P. C. Grace Camp, No. 265, Sons of Veterans, United States Army, Division of Pennsylvania, indorsing the Fuller bill (H. R. 9807); to the Committee on Invalid Pensions.

SENATE

WEDNESDAY, February 25, 1925

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer.

Gracious and ever-living God, we approach Thy throne of grace this morning thanking Thee for the mercies vouchsafed and seeking from Thee further evidence of Thy care. Be with us constantly, we beseech of Thee, and in the varied administrations of duty may there be had by us the realization that wisdom must come from Thee, that only as the Nation is exalted in righteousness shall it truly prosper. Be very near and present, and guide all our deliberations to Thy glory. For Christ's sake, Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Tuesday, February 17, 1925, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dial	Hefflin	Metcalf
Ball	Dill	Howell	Moses
Bayard	Edge	Johnson, Calif.	Neely
Bingham	Edwards	Johnson, Minn.	Norbeck
Borah	Ernst	Jones, N. Mex.	Norris
Brookhart	Fernald	Jones, Wash.	Oddie
Broussard	Ferris	Kendrick	Overman
Bruce	Fess	Keyes	Pepper
Bursum	Fletcher	King	Phipps
Butler	Frazier	Ladd	Pittman
Cameron	George	Lenroot	Ralston
Capper	Gerry	McKellar	Ransdell
Caraway	Glass	McKinley	Reed, Pa.
Copeland	Gooding	McLenn	Robinson
Commins	Greene	McNary	Sheppard
Curtis	Hale	Mayfield	Shipstead
Dale	Harris	Means	Shortridge

Simmons
Smith
Smoot
Spencer

Stephens
Sterling
Swanson
Trammell

Wadsworth
Walsh, Mass.
Walsh, Mont.
Warren

Watson
Weller
Willis

The PRESIDENT pro tempore. Eighty-three Senators have answered to the roll call.

MIGRATORY BIRD REFUGES

The PRESIDENT pro tempore. The Chair lays before the Senate a bill from the House of Representatives, which was read the first time on the preceding day.

The bill (H. R. 745) for the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds, the establishment of public shooting grounds to preserve the American system of free shooting, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, and for other purposes, was read the second time by its title.

The PRESIDENT pro tempore. The Chair ought to state that when the bill was laid before the Senate previously the Senator from Missouri [Mr. REED] suggested that it be referred to the Committee on the Judiciary. The Chair is of the opinion that the bill ought to be referred to the Committee on Agriculture and Forestry, and will so refer it unless the Senate otherwise directs.

Mr. KING. Mr. President, the Senator from Missouri [Mr. REED] is in committee and has not yet come into the Chamber. He is very much interested in the disposition that is to be made of the bill just laid before the Senate, and I suggest that the Chair retain it upon his desk for a moment until the Senator from Missouri comes into the Chamber.

The PRESIDENT pro tempore. The Chair will retain the bill until the Senator from Missouri comes in, if he comes in before the conclusion of morning business.

Mr. SMITH. Mr. President, may I ask one question before the Chair takes that action? Is not the Committee on Agriculture and Forestry the proper committee to which reference of a bill of this character should be made?

The PRESIDENT pro tempore. The Chair is of opinion that the bill ought to be referred to the Committee on Agriculture and Forestry and has so announced.

Mr. REED of Missouri entered the Chamber.

The PRESIDENT pro tempore. The Senator from Missouri has just entered the Chamber, however.

Mr. BROOKHART. I move that the bill be referred to the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. The Senator from Iowa moves that the bill be referred to the Committee on Agriculture and Forestry.

Mr. REED of Missouri. The motion is debatable, of course?

Mr. BROOKHART. I think it is not debatable in the morning hour.

The PRESIDENT pro tempore. The question is not debatable at this time.

Mr. REED of Missouri. If the Senator from Iowa wants to take that advantage he may do so. The bill came from the House during his absence. I asked to have it sent to the Committee on the Judiciary and was informed that the Senator from Iowa, who was absent at the time, wanted the bill to lie on the table until he could be here. I accordingly had it laid on the table and held for him. If he wants to cut me out of the right to say anything about the reference of the bill, he is at perfect liberty to do so; but if he does so, I promise him that his bill will not pass at this session.

The PRESIDENT pro tempore. The question is upon the motion of the Senator from Iowa.

Mr. BROOKHART. Mr. President—

The PRESIDENT pro tempore. The motion is not debatable.

Mr. BROOKHART. I ask unanimous consent that we hear the Senator from Missouri before the vote is taken.

Mr. REED of Missouri. Oh, no; go ahead.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent to debate the motion. Is there objection?

Mr. SMOOT. I object.

The PRESIDENT pro tempore. Objection is made and the question is upon agreeing to the motion of the Senator from Iowa [Mr. BROOKHART] that the bill be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

JUDGMENTS RENDERED BY THE COURT OF CLAIMS (S. DOC. NO. 211)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting, in compliance with law, a list of judgments rendered

by the Court of Claims, and requiring an appropriation for their payment—under the Navy Department, \$6,426.42; under the War Department, \$1,506.84; in total amount, \$7,933.26, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS RENDERED AGAINST THE GOVERNMENT BY DISTRICT COURTS (S. DOC. 213)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting, in accordance with law, records of judgments rendered against the Government by the United States district courts, and requiring an appropriation for their payment—under the Navy Department, \$557.89; under the War Department, \$2,687.21; in total amount, \$3,245.10; which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JENS SAMUELSEN AND B. OLSEN V. THE UNITED STATES (S. DOC. 214)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting, in accordance with law, a record of judgment rendered against the Government by the United States District Court for the Southern District of New York (under the United States Shipping Board), being a final decree or mandate in favor of Jens Samuelson and B. Olsen, owners of the Norwegian bark *Thelka* against the United States of America (steamship *F. J. Luckenbach*), in amount of judgment \$154,837.96, together with interest thereon at 5 per cent per annum from February 5, 1923, until date of judgment and costs, \$15,064.47, in total amount \$169,902.43, together with further interest at 5 per cent per annum from date of entry, etc., and requiring an appropriation for its settlement, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS ALLOWED BY GENERAL ACCOUNTING OFFICE (S. DOC. NO. 212)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting, in compliance with law, schedules of claims in amount \$95,954.71 allowed by the General Accounting Office, as covered by certificates of settlement, etc., under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of law, and for the service of the several departments and independent offices, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE

A message from the House, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills and a joint resolution of the Senate:

S. 970. An act for the relief of the De Kimpke Construction Co., of West Hoboken, N. J.;

S. 1016. An act for the relief of Augusta Reiter;

S. 1633. An act for the relief of James F. Jenkins;

S. 1763. An act to validate certain payments made to George M. Apple and to authorize the General Accounting Office to allow credit to certain disbursing officers for payments of salaries made on properly certified and approved vouchers;

S. 2714. An act for the relief of John F. Malley;

S. 2774. An act for the relief of G. Ferlita;

S. 2793. An act for relief of estate of Anne C. Shymer;

S. 2992. An act for the relief of the Berwind-White Coal Mining Co.;

S. 3379. An act providing for the sale and disposal of public lands within the area heretofore surveyed as Boulder Lake, in the State of Wisconsin; and

S. J. Res. 125. Joint resolution granting permission to Fred F. Rogers, commander, United States Navy, to accept certain decorations bestowed upon him by the Venezuelan Government.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 827. An act for the relief of Jessie M. White;

S. 1237. An act for the relief of the settlers and claimants to section 16, lands in the L'Anse and Vieux Desert Indian Reservation, in Michigan, and for other purposes;

S. 1323. An act for the relief of Eugene K. Stoudemire;

S. 1573. An act for the relief of Samuel S. Weaver;

S. 1725. An act for the relief of Rubie M. Mosley;

S. 2503. An act for the relief of W. H. King; and

S. 2534. An act for the relief of J. E. Saucier.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 2527. An act for the payment of claims for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army; and

S. 2879. An act for the relief of James E. Jenkins.

The message also announced that the House had insisted upon its amendments to the bill (S. 4207) to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ZIEHLMAN, Mr. GIBSON, Mr. RATHBONE, Mr. BLANTON, and Mr. GILBERT were appointed managers on the part of the House at the conference.

The message further announced that the House further insisted upon its disagreement to the amendments of the Senate Nos. 1, 28, and 46 to the bill (H. R. 12033) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes; agreed to the further conference requested by the Senate, and that Mr. DAVIS of Minnesota, Mr. FUNK, and Mr. AYRES were appointed managers on the part of the House at the further conference.

The message informed the Senate that the House had considered the request of the Senate for the return of the bill (H. R. 5084) to amend the national defense act approved June 13, 1916, as amended by the act of June 4, 1920, relating to retirement, and for other purposes, and that the unanimous consent necessary to comply with the request at that time was refused.

The message also announced that the House had passed bills and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 811. An act for the relief of Frederick Marshall;

H. R. 912. An act for the relief of John H. Barrett and Ada H. Barrett;

H. R. 919. An act for the relief of Frank Norton;

H. R. 1226. An act for the relief of George Penrod;

H. R. 1307. An act for the relief of William A. Glasson;

H. R. 1445. An act to change the retired status of Chief Pay Clerk R. E. Ames, United States Navy, retired;

H. R. 1579. An act authorizing the disposition of certain lands in Minnesota;

H. R. 2107. An act for the relief of Orrin F. Strickland;

H. R. 2225. An act to correct the military record of Thornton Jackson;

H. R. 2415. An act for the relief of Robert E. A. Landauer;

H. R. 2528. An act for the relief of Hannah Parker;

H. R. 2646. An act for the relief of Ida Fey;

H. R. 2921. An act for the relief of Paymaster Herbert Elliott Stevens, United States Navy;

H. R. 3618. An act for the relief of Nora B. Sherrier Johnson;

H. R. 3727. An act for the relief of Andrew Cullin;

H. R. 3771. An act for the relief of John Clarence Shea;

H. R. 3839. An act for the relief of M. Castanola & Son;

H. R. 4932. An act for the relief of Jacob F. Webb;

H. R. 5278. An act for the relief of Edward N. Moore;

H. R. 5456. An act granting six months' pay to Lucy B. Knox;

H. R. 5639. An act for the relief of Walter Baker;

H. R. 6442. An act for the relief of William H. Armstrong;

H. R. 6824. An act for the relief of Joseph A. Choate;

H. R. 7131. An act for the relief of Pleasant R. W. Harris;

H. R. 7133. An act for the relief of James Shook;

H. R. 7713. An act for the relief of Walter L. Watkins, alias Harry Austin;

H. R. 7744. An act for the relief of Wesley T. Eastep;

H. R. 7934. An act for the relief of Benjamin F. Youngs;

H. R. 8037. An act for the relief of Mallory Steamship Co.;

H. R. 8566. An act for the relief of Claude S. Betts, late ensign (pilot) Naval Air Service;

H. R. 8672. An act for the relief of Robert W. Caldwell;

H. R. 8749. An act to correct the military record of Tennessee McCloud;

H. R. 9471. An act for the relief of Henry T. Hill;

H. R. 9687. An act permitting the sale of the northeast quarter, section 5, township 6 north, range 15 west, 160 acres, in Conway County, Ark., to A. R. Bowdre;

H. R. 9969. An act for the relief of the New York Shipbuilding Corporation for losses incurred by reason of Government orders in the construction of battleship No. 42;

H. R. 10347. An act for the relief of Robert B. Sanford;

H. R. 10763. An act for the relief of William Lentz;

H. R. 11009. An act for the relief of James T. Conner;

H. R. 11425. An act to correct the military record of Sylvester De Forest;

H. R. 12300. An act to amend section 281 of the revenue act of 1924; and

H. J. Res. 226. A joint resolution for the relief of special disbursing agents of the Alaskan Engineering Commission, authorizing the payment of certain claims, and for other purposes, affecting the management of the Alaska Railroad.

The message further announced that the House had concurred in Senate Concurrent Resolution 35, to correct an error in the reenrollment of the bill (S. 3760) to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes.

ENROLLED BILLS SIGNED

The message also further announced that the Speaker of the House had affixed his signature to the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 3765. An act to authorize a five-year building program for the public-schools system of the District of Columbia which shall provide school buildings adequate in size and facilities to make possible an efficient system of public education in the District of Columbia; and

S. 4045. An act granting the consent of Congress to W. D. Comer and Wesley Vandercook to construct a bridge across the Columbia River between Longview, Wash., and Rainier, Ore.

PETITIONS AND MEMORIALS

Mr. WALSH of Montana presented the following memorial of the House of Representatives of the Legislative Assembly of the State of Montana, which was referred to the Committee on Post Offices and Post Roads:

UNITED STATES OF AMERICA,

State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of an act entitled a memorial to the Senate of the United States, urging the immediate enactment of pending legislation to provide adequate compensation for postal employees, enacted by the Nineteenth Session of the Legislative Assembly of the State of Montana, and approved by J. E. Erickson, Governor of said State, on the 19th day of February, 1925.

In testimony whereof, I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 20th day of February, A. D. 1925.

[SEAL]

C. T. STEWART,

Secretary of State.

By CLIFFORD L. WALKER,

Deputy.

House memorial 4 (introduced by Graybill) to the Senate of the United States, urging the immediate enactment of pending legislation to provide adequate compensation for postal employees

To the honorable Senate of the Congress of the United States:

Your memorialists, the members of the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana, respectfully represent:

Whereas 300,000 employees of the Post Office Department of the National Government are now receiving rates of pay insufficient to provide for a proper standard of living, and below the average paid for work of a similar sort in other Government departments, and

Whereas nowhere in any similar branch of the public service, or in similar private employment, is a higher degree of intelligence required, nor is the responsibility as great, the work as important, and the labor as arduous, as among the employees of the Postal Service, and

Whereas efficiency in the Postal Service can not be maintained without the constant addition of new and capable personnel, and

Whereas pay increases during the past nine years have not kept pace with known increase in costs of living, and that good men are not now being attracted into the service at the starting wage of fourteen hundred (\$1,400) dollars per year, and

Whereas employees of the Postal Service are handicapped in the matter of agitating for just increases because they are denied affiliation with powerful labor organizations, and are forbidden to strike to enforce their demands, and

Whereas House bill No. 11444 has just passed the House of Representatives of the Congress of the United States providing for increases in pay for postal employees that will, in great measure, remedy the injustice now being perpetrated upon these faithful servants of the Government and provide equitable compensation for their labors; Therefore be it

Resolved by the members of the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana, That we do hereby memorialize the Senate of the United States to take steps at once to concur in House bill No. 11444, in order that the present session may see this matter fully accomplished and this great wrong righted; and be it further

Resolved, That a copy of this memorial be forwarded immediately by the secretary of state to the President of the United States, to the President of the Senate of the United States, and to our Senators and Representatives in Congress.

CHAS. BRICKER,
Speaker of the House.

I hereby certify that the within memorial originated in the house.
H. J. FAUST, *Chief Clerk.*

This bill was received by the Governor this 18th day of February, 1925.

J. E. ERICKSON,
Governor.
By WILL AIKEN,
Private Secretary.

Approved February 19, 1925.

J. E. ERICKSON, *Governor.*

Mr. WALSH of Montana also presented the following memorial of the House of Representatives of the Legislative Assembly of the State of Montana, which was referred to the Committee on Interstate Commerce:

House memorial 3 (introduced by Mr. Burns) to Congress of the United States, asking it to amend the interstate commerce act so as to protect shippers and livestock in their contracts with carriers

Whereas the interstate commerce act as amended has been construed by the United States Supreme Court to invalidate any contract entered into between a carrier and a shipper for the furnishing of cars to a shipper at a specified time;

Whereas the United States Supreme Court has construed such a contract to be a preference and to constitute a special advantage to a shipper, and therefore invalid; and

Whereas shippers of livestock are now without any remedy for the violation of a carrier of such a contract: Therefore be it

Resolved by the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana, That it is the sense of the house of representatives of this legislature that the Congress of the United States should remedy this situation by the enactment of proper legislation to remedy the same; be it further

Resolved, That a copy of this memorial be forwarded to the Senate and the House of Representatives of the United States and to each of the Senators and Representatives from Montana.

M. C. BRICKER,
Speaker of the House.

Mr. WALSH of Montana also presented the following joint memorial of the Legislative Assembly of the State of Montana, which was referred to the Committee on Agriculture and Forestry:

House joint memorial 3, introduced by Hoffman and Hanson, to the Congress of the United States of America to enact legislation to promote equality for agriculture under the American protective system in the case of those crops of which a normal surplus above domestic requirements is produced

To the honorable Senate and House of Representatives of the United States of America:

Your memorialists, the members of the Nineteenth Legislative Assembly of the State of Montana, the senate and house concurring respectfully represent that:

Whereas the United States has established and maintains by law a system of protection which industry and labor make effective through their organization, and through controlled production and supply; and

Whereas the entire land and agricultural policy of the United States has been aimed to secure maximum agricultural production, with a result that there is produced annually a normal surplus for export of fundamental crops; and it is physically impossible for agriculture to forecast or accurately control production, thus eliminating the surplus above domestic needs; and

Whereas the sale of such normal surplus in the world market establishes the domestic price at world levels, making inoperative tariff schedules intended to protect an American price for that portion of the crop consumed at home; and

Whereas the present improved price of some of the products of the farm is due to world shortages, and does not permanently remove the disparity between the rewards of agriculture and of industry and labor under our protective system; and

Whereas it is vitally important to assure to agriculture, the basic American industry, a fair share of the national wealth by promoting parity for farming with industry and labor; and to prevent recurrence of the disastrous spread between farm and other prices that is fatal to general or permanent national prosperity: Therefore, be it

Resolved, by the legislative assembly, That it urges the enactment by the Congress of the United States, of legislation creating a farmers' export corporation to dispose of the normal surplus of basic farm commodities at the expense of all the producers of such crop, in order that tariff schedules may be made effective in maintaining an American price for agriculture in our own domestic markets; be it further

Resolved, That a copy of this memorial be forwarded to the Senate and House of Representatives of the United States and to each of the Senators and Representatives from Montana in Congress.

M. C. BRICKER,
Speaker of the House.
W. S. McCORMACK,
President of the Senate.

I hereby certify that the within memorial originated in the house.
H. J. FAUST, *Chief Clerk.*

This bill was received by the governor this 13th day of February, 1925.

J. E. ERICKSON, *Governor.*
By WILL AIKEN, *Private Secretary.*

Approved February 13, 1925.

J. E. ERICKSON, *Governor.*

Mr. WALSH of Montana also presented the following joint memorial of the Legislative Assembly of the State of Montana, which was referred to the Committee on Foreign Relations:

House joint memorial 2 (introduced by McCarty) to the Senate of the United States of America in Congress assembled that immediate action be taken leading to the participation of the United States in the Permanent Court of International Justice

To the honorable Senate of the United States of America:

Your memorialists, the members of the Nineteenth Legislative Assembly of the State of Montana, the Senate and House concurring, respectfully represent: That—

Whereas we believe that the participation of the United States in the Permanent Court of International Justice to be the first step toward the outlawry of war and of that fuller and more far-reaching international cooperation which shall end war: Therefore, be it

Resolved (by the legislative assembly), That it unreservedly favors immediate action being taken leading to the participation of the United States of America in the Permanent Court of International Justice, in accordance with the Harding-Hughes plan; and be it further

Resolved, That a copy of this memorial be forwarded to the Senate of the United States and to each of the Senators from Montana in Congress.

M. C. BRICKER,
Speaker of the House.
W. S. McCORMACK,
President of the Senate.

I hereby certify that the within memorial originated in the house.
H. J. FAUST, *Chief Clerk.*

This bill was received by the governor this 13th day of February, 1925.

J. E. ERICKSON, *Governor.*
By WILL AIKEN, *Private Secretary.*

Approved February 13, 1925.

J. E. ERICKSON, *Governor.*

Mr. BORAH presented the following joint memorial of the Legislature of the State of Idaho, which was referred to the Committee on Agriculture and Forestry:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, F. A. Jeter, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 7, by McBirney and Magleby, adopted by the Eighteenth Session of the Idaho Legislature, which was filed in this office on the 19th day of February, A. D. 1925, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 20th day of February, in the year of our Lord 1925, and of the Independence of the United States of America the one hundred and forty-ninth.

[SEAL]

F. A. JETER,
Secretary of State.

IN THE HOUSE OF REPRESENTATIVES.

Joint memorial 7 (by McBirney and Magleby) to the Senate and House of Representatives of the United States of America and to the Senators and Representatives from the State of Idaho in Congress assembled

Your memorialists, the Legislature of the State of Idaho, respectfully represent that—

Whereas under existing laws producers of horticultural and agricultural products have no adequate remedy to protect them against breach of confidence or contract committed by commission merchants and brokers engaged in buying and selling such products, handled or to be handled in interstate commerce: Now therefore be it

Resolved, That we, your memorialists, respectfully request and recommend that Congress enact a law requiring commission merchants and brokers engaged in buying and selling horticultural and agricultural products, handled or to be handled in interstate commerce, to procure a license and give a bond for the faithful discharge of their duties and for the faithful performance of their contracts as such commission merchants and brokers, said license to be subject to cancellation for any willful breach of trust by such commission merchant or broker, and said bond to be so conditioned as to protect the producers and consignors of such products in the event of breach of his trust by the commission merchant or broker.

SEC. 2. The secretary of state is hereby instructed to forward copies of this memorial to the Senate and House of Representatives of the United States, and to the Senators and Representatives from Idaho.

This memorial passed the house on the 12th day of February, 1925.

W. D. GILLIS,

Speaker of the House of Representatives.

This memorial passed the senate on the 17th day of February, 1925.

H. C. BALDRIDGE,

President of the Senate.

I hereby certify that the within house joint memorial No. 7 originated in the House of Representatives during the Eighteenth Session of the Legislature of the State of Idaho.

C. A. BOTTOLFSEN,

Chief Clerk of the House of Representatives.

Mr. BORAH also presented the following joint memorial of the Legislature of the State of Idaho, which was referred to the Committee on Irrigation and Reclamation:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, F. A. Jeter, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 4, by Richmond, adopted by the Eighteenth Session of the Legislature of the State of Idaho, which was filed in this office on the 13th day of February, A. D. 1925, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the Capital of Idaho, this 14th day of February, in the year of our Lord 1925 and of the independence of the United States of America the one hundred and forty-ninth.

[SEAL.]

F. A. JETER, *Secretary of State.*

LEGISLATURE OF THE STATE OF IDAHO,
EIGHTEENTH SESSION.

Senate joint memorial 4 (by Richmond)

To the Hon. William E. Borah, the Hon. Frank R. Gooding, United States Senators from the State of Idaho, and the Hon. Addison T. Smith, the Hon. Burton L. French, Members of Congress from the State of Idaho:

We, your memorialists, the Senate and House of Representatives of the State of Idaho, in regular session assembled, respectfully represent that—

Whereas it is of utmost importance to the people of the entire Nation that the tremendous water power potentially existing in Idaho streams should be developed by the installation of hydroelectric plants; and

Whereas money has been heretofore appropriated by the State of Oregon for the investigation of hydroelectric possibilities at the Umatilla Rapids in the Columbia River, and the Congress of the United States has likewise made appropriations for like investigations; and

Whereas the Reclamation Service of the United States is just now concluding an extensive investigation of the proposed hydroelectric development at Umatilla Rapids and the possibility of extensive reclamation of arid lands in the vicinity of said rapids, and by such investigation has found the installation of hydroelectric works to be entirely feasible from an engineering standpoint; and

Whereas the development of a reclamation and hydroelectric project at the said point will provide cheap power for the people and industry of the State of Oregon, as well as those of Washington and Idaho, and will mean the reclamation of a vast territory of potentially fertile and

valuable land, affording homes and employment for a large number of people, and will, by reason of impounding works, flood the present rapids and remove one of the greatest obstructions to the navigation of the Columbia River; and

Whereas the industry and prosperity of the three Northwest States above named will be tremendously increased and the whole Nation will be benefited by such development, and there is no way to procure the same save by the aid of the United States Government: Therefore be it

Resolved by the senate (the house of representatives concurring), That the Senators and Members of Congress from the State of Idaho be, and they are hereby, memorialized to make the greatest possible effort to secure Federal recognition of the said Umatilla Rapids project and to bring about the early development of the same, and that they at all times lay stress upon the importance of the said project to the entire Nation, and that the said Senators and Members of Congress shall unite, so far as they may deem advisable, with the Senators and Members of Congress from the bordering States of Washington and Oregon to the end that joint action may be had in behalf of the early construction of the said project; be it further

Resolved, That the secretary of state be, and he is hereby, directed to transmit by mail a copy of this memorial to the above-named Senators and Members of Congress.

This senate joint memorial passed the senate on the 4th day of February, 1925.

H. C. BALDRIDGE,

President of the Senate.

This senate joint memorial passed the house of representatives on the 10th day of February, 1925.

W. D. GILLIS,

Speaker of the House of Representatives.

I hereby certify that the within senate joint memorial No. 4 originated in the Senate during the Eighteenth Session of the Legislature of the State of Idaho.

A. L. FLETCHER,

Secretary of the Senate.

Mr. NORBECK. Mr. President, I submit herewith copies of two resolutions passed by the South Dakota State Legislature, now in session, which I ask be printed in the RECORD and referred to the appropriate committees of the Senate.

The resolutions were referred as follows:

To the Committee on Commerce:

Senate concurrent resolution. (Introduced by Mr. Amsden)

Whereas information has reached the Legislature of the State of South Dakota that an excessive amount of water is being diverted from the Great Lakes through the sanitary drainage canal of the city of Chicago and far in excess of the needs for a proper disposal of sewage of such city, which is reported to be fast diminishing the stage of water in the Great Lakes and which may lower the stage of water sufficiently to interfere with the feasibility of a Great Lakes waterway, in which the State of South Dakota is much interested: Therefore be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That the Representatives in Congress from South Dakota take cognizance of the facts as above stated, if such facts are true, and to use their best efforts to correct the abuse of such privilege that the interest of the State of South Dakota and the great agricultural Northwest may be conserved; be it further

Resolved, That copies of this resolution be prepared by the secretary of the senate and mailed to each Member of Congress from South Dakota and to the chief clerk of the Senate and chief clerk of the Assembly of the State of Wisconsin, and that a copy be filed with the Governor of this State.

A. C. FORNEY,

President of the Senate.

W. J. MATSON,

Secretary of the Senate.

CHAS. S. McDONALD,

Speaker of the House.

WRIGHT TARBELL,

Chief Clerk of the House.

To the Committee on Interstate Commerce:

A concurrent resolution

Whereas it is impossible to identify virgin wool from shoddy and other wool content after the same is woven into fabric; and

Whereas unregulated trade names and general descriptive terms used in designating woolen goods cause misunderstanding leading to grave financial loss, both to the producer of wool and the consumer of woolen goods; and

Whereas proper labeling of woolen fabric could be regulated and supervised at the time of manufacture without entailing undue expense or trouble to the manufacturer or to the Government for administration; and

Whereas the enactment of an adequate truth in fabric act by the Congress of the United States would be fair and just to the producer of wool, to the manufacturer, distributor, and to the consumer of woolen goods: Therefore be it

Resolved by the House of Representatives of the State of South Dakota (the Senate concurring), That the Congress of the United States be, and it is hereby, respectfully memorialized, requested, and urged to enact adequate truth-in-fabric legislation at the earliest possible moment, requiring the labeling at the time of manufacture of fabrics woven from wool in plain, unambiguous, and clearly defined terms, showing the nature and percentages of woolen content.

That the chief clerk of the House of Representatives of the State of South Dakota be, and he is hereby, instructed and directed to transmit copies of this concurrent resolution to the Secretary of the Senate of the United States, to the Chief Clerk of the House of Representatives of the United States, to the chairman of the Committee on Interstate Commerce of the Senate of the United States, to the chairman of the Committee on Interstate and Foreign Commerce of the House of Representatives of the United States, and to each United States Senator and Congressman from the State of South Dakota.

CHAS. S. McDONALD,
Speaker of the House.

Attest:

WRIGHT TARBELL, Chief Clerk.

A. C. FORNEY,
President of the Senate.

Attest:

W. J. MATSON,
Secretary of the Senate.

Mr. FERRIS presented memorials of sundry citizens of St. Charles, Cadillac, Hesperia, Grand Ledge, and Berrien Springs, all in the State of Michigan, remonstrating against the passage of the so-called compulsory Sunday observance bill for the District, which were referred to the Committee on the District of Columbia.

He also presented resolutions of General Nelson A. Miles Camp, No. 1, United Spanish War Veterans, Department of the District of Columbia, of Washington, D. C., favoring the passage of the so-called Bursum bill, being Senate bill 3314, granting increased pensions to veterans of the Civil, Mexican, Indian, and Spanish Wars and their widows, and certain maimed soldiers, etc., which were referred to the Committee on Pensions.

He also presented the petitions, signed by sundry members of the Young Women's Christian Association of Lansing, and of sundry citizens of Mount Pleasant, Mich., praying for the immediate entrance of the United States into the World Court under the terms of the so-called Harding-Hughes plan, which were referred to the Committee on Foreign Relations.

Mr. MEANS presented a petition of sundry citizens of Denver and vicinity, in the State of Colorado, praying for the passage of Senate bill 56, for the allowance of certain claims for indemnity for spoliation by the French prior to July 31, 1801, as reported by the Court of Claims, which was referred to the Committee on Claims.

Mr. WILLIS presented a petition signed by sundry members and friends of the Simpson Methodist Episcopal Church, of Cleveland, Ohio, praying for the passage of the so-called Cramton bill, being House bill 6645, to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department, and to define its powers and duties, etc., which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

Mr. MEANS, from the Committee on the Judiciary, to which was referred the bill (H. R. 1468) to increase the salary of the warden of the United States penitentiary at McNeil Island, Wash., reported it without amendment and submitted a report (No. 1220) thereon.

Mr. GERRY, from the Committee on Naval Affairs, to which was referred the bill (H. R. 1446) for the relief of Charles W. Gibson, alias Charles J. McGibb, reported it with an amendment and submitted a report (No. 1221) thereon.

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (S. 3144) for the relief of Delaware River Towing Line, reported it without amendment and submitted a report (No. 1222) thereon.

Mr. JOHNSON of Minnesota, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 745) for the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds, the establishment of public shooting grounds to preserve the American system of free shooting, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, and for other purposes, reported it without amendment.

He also, from the Committee on Claims, to which was referred the bill (H. R. 1569) for the relief of Andrew A. Gierlet, reported it without amendment and submitted a report (No. 1223) thereon.

Mr. WALSH of Montana, from the Committee on the Judiciary, to which was referred the bill (H. R. 5295) to authorize the appointment of stenographers in the courts of the United States and to fix their duties and compensation, reported it without amendment.

COTTON FUTURES CONTRACTS

Mr. SMITH. Mr. President, I have here several communications practically in the form of petitions. It is sufficient for me to call attention to the character of them. It is alleged that the New York Cotton Exchange is holding cotton stocks which cotton does not come up to the standard required by the cotton futures act. I have, among others, a letter from a party in New Orleans. This correspondent of mine in New Orleans says that "although the New Orleans contract market is actually higher in New York there are thousands of bales of cotton being shipped from here every week to New York to depress the contract market." He claims that the staple of this cotton is not as long as that required under the cotton futures act, that it is shy of the necessary length, and that other qualities make it nontenderable. I have also a letter from the president of the American Cotton Association alleging that there are perhaps 150,000 bales of specified cotton in the warehouses to be tendered on, perhaps, March contracts which are of such character that the mills and the purchasing public do not care to stop the contracts and take up the cotton.

Under the law the Agricultural Department is charged with examining this cotton, sampling and stabilizing it, and thereby protecting the purchaser of contracts from the delivery of such cotton as does not come under the regulations of the law.

I have asked the Agricultural Department about this stock of cotton, which is alleged from three very reputable sources to be not such cotton as the law contemplated should be delivered. I want to take this occasion to call the attention of the holders of March contracts to the facts stated, to ask them to take up the cotton, and after taking it up notify me or the Agricultural Department and have them then grade and sample cotton so as to prove whether or not these allegations are true.

The cotton futures act was passed because it was shown by Mr. Herbert Knox Smith, the agent of the department, that there was a practice of taking undesirable cotton and putting it into warehouses and tendering it on contracts. We have amended that law so as to provide that only certain grades may be tendered, all of which can be spun readily by the mills of the country, and if there be any infraction of that law it will necessarily bring about the very condition to prevent which the cotton futures act was passed.

Mr. President, I am going to ask the privilege of having certain letters which I hold in my hand, or a part of them, which I shall indicate, printed in the Record, so that the public may be notified that these March contracts which they have taken up will be sampled by the Agricultural Department in order to ascertain the truth.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

NEW ORLEANS, LA., February 19, 1925.

Hon. Senator E. D. SMITH,

Washington, D. C.

DEAR SIR: Knowing that you have the interest of the cotton growers at heart, I am writing to call your attention to the gross manipulation going on in the New York future market, which is costing the South millions of dollars.

Although the New Orleans contract market is actually higher than in New York, there are thousands of bales of cotton being shipped from here every week to New York to depress the contract market there.

This cotton is all shorter in staple than the New Orleans or New York contract calls for, and how it gets by the Government classers, I will leave to you.

The most of this cotton being shipped from here has been gone over by local classers as passed on as $\frac{3}{8}$ -inch cotton, while the Government classers have allowed it go as $\frac{5}{8}$ -inch cotton, which is minimum contract length.

This short-staple cotton is not wanted by the mills, which is why the March contract in New York is selling to-day lower than the price of spot cotton is quoted in the South. Some of the largest spot firms have kept an enormous stock of this short cotton in New York all season at great expense in order to keep the contract market depressed, so as to buy the farmers' cotton in the South at a low price.

This manipulation in the New York market has undoubtedly cost the farmers hundreds of millions of dollars this season.

I suggest that prompt steps be taken to investigate this matter and have the New York stock reclassified. If this is done, most of this cotton will be found to be short of contract length. As the matter stands now, all of these shippers know about this New York stock being punk stock and nobody will take it up on contract.

This is a matter most vital to the interest of the cotton growers, and I know you will be glad to have your attention called to it.

NEW YORK, N. Y., February 22, 1925.

Hon. E. D. SMITH,
Washington, D. C.

DEAR SENATOR: I find on my arrival here that the tremendous stock of cotton, which has been and is being maintained here by a few big spot houses, and its effect on the cotton market is the chief topic of discussion.

Southern cotton men who are here criticize this large accumulation of cotton freely in private conversation because they consider it a great weight on the market and believe it is depressing values for the near-by deliveries as quoted on the New York Cotton Exchange 75 to 100 points under what they should be.

This is not a temporary condition, but has existed for months.

The New York Times in its review of the cotton market February 22, 1925, says there are now 224,000 bales of cotton here, of which 194,000 has been certificated by Government inspectors. The bulk of this cotton has been here since October, it says, and it further asserts that it is costing the owners \$250,000 per month to keep it here.

I hear much talk to the effect that this cotton, while mostly grading middling and above, is mostly so short in staple, being barely seven-eighths of an inch, that domestic mills do not want. It consists largely of the cheapest and least desirable grades which could be bought in the South, and is apparently being kept here solely for the purpose of depressing March contracts so as to enable its owners to buy other spot cotton in the South cheaper and to manipulate the future market.

The article in the New York Times gives voice to some of the unfavorable comments which are in circulation, but not to all of them.

As nearly all purchases of spot cotton in the South are based on March quotations in New York it is obvious that by depressing that month artificially the spot houses who do so are able to buy spot cotton in the South \$5 to \$10 per bale less than they could if these quotations were maintained on a normal parity with southern markets.

I am reliably informed that the spot houses, who are maintaining large stocks of cotton here, have bought several hundred thousand bales of spot cotton in the South at a heavy discount during the past few months based on March quotations in New York.

The expectation is that the bulk of this 224,000 bales of cotton will be tendered on March contracts here either on February 24 or later in the month.

It has been stated in the New York papers recently that the short interest in March contracts aggregated 1,000,000 bales at one time, and that most of these contracts were sold by spot houses who own the stock here. In other words, the owners of this stock sold four to five bales of futures for each bale of spots that they kept here.

A large part of the March short interest has recently been transferred to May and a repetition of what occurred in March can be expected in May contracts unless something is done in the meantime to bring future quotations here up to a parity with spot quotations in the South.

The demand for spot cotton in the South from all over the world has been so persistent and heavy of late that the basis has risen at all southern markets despite depressed quotations for March contracts here. Official quotations issued Saturday show that many points in the South received 25 to 70 points above March closing prices in New York for middling cotton.

Such a spot demand as this and high basis under ordinary conditions has a stimulating effect and uplifting influence on futures. This year, however, this very large demand for spots has not affected futures at all, to the surprise of everyone in the business.

Middling cotton was quoted Saturday at 25 cents per pound in Houston, Tex., the headquarters of the spot house which is credited with owning the bulk of the stock here. Middling was quoted in New York at 24.50 and March contracts closed at 24.26-24.28. At the same time Galveston, Tex., quoted middling at 24.95, Dallas and Savannah 24.50, Augusta and Memphis 24.25, and New Orleans, 24.55.

The following telegrams from one of the largest spot houses in the eastern belt illustrates what I have outlined above:

(First wire)

"Spots in big demand from all sections. Basis firm and higher; little offering. Price of March, New York, is being paid for middling in the South."

(Second wire)

"Spot situation in South very bullish. Heavy spot demand from Europe and eastern and southern mills. Spots in South selling at price of March, New York, for middling ordinary staple. One-inch staple bringing 1 cent premium. March New York contracts are five to six dollars below what they can be replaced in South."

The understanding in the trade is that the Smith-Lever bill, of which you were one of the authors, was drawn and passed by Congress for the purpose of preventing the accumulation of undesirable grades of cotton in New York for the purpose of tendering on contracts from month to month because of the depressing effect on prices of such practice, and that it was made the duty of the Secretary of Agriculture to see to it that this practice, which was discontinued for a long time after the passage of this bill, was not renewed.

It seems to me, therefore, that you can start something which will in the end prove very beneficial to the producers and holders of cotton in your State as well as in other States if you will call upon the Secretary of Agriculture for an explanation of his inactivity in this matter and if you will insist that he demand an explanation of the great differences existing between quotations for March cotton and spots prices in the South.

I can find no reason for this discrepancy except the pressure from the big stock of undesirable cotton which is maintained here.

I believe publicity will prove a very helpful influence in getting the information which you may seek and in checking the abuses outlined above.

Respectfully,

FORT M'HENRY, MD.

Mr. BRUCE. Mr. President, if there is no objection, I should like to have a bill taken up and considered at this time. I have never since I have been a Member of this body asked that a bill be taken up out of its regular order. I can not conceive that there will be any objection to it, and I think it will lead to no discussion. I refer to House bill 5261, to make Fort McHenry, where the British failed in their attack on Baltimore in the War of 1812, a national monument. The bill involves no appropriation at all. It has been passed by the House of Representatives and favorably reported by the Senate Committee on Military Affairs. If there be no objection, I should like to have the bill considered and passed at this time.

Mr. MOSES. Mr. President, I have no intention of being discourteous to the Senator from Maryland, but this is the first morning hour we have had for several days past. There is a great deal of routine morning business to be disposed of. When that shall have been ended and the calendar reached, the Senator from Maryland can renew his request or he can even make a motion for that purpose. I must insist upon the regular order.

Mr. BRUCE. I will say to the Senator from New Hampshire that there can be no conceivable objection to the bill for which I ask consideration. It will only take two or three minutes to consider and pass it.

Mr. MOSES. That is not the question, I will say to the Senator from Maryland. The fact is we have had no morning hour now for several days, and there is much routine morning business which I think should be disposed of. I must insist upon the regular order.

The PRESIDENT pro tempore. Objection is made to the request of the Senator from Maryland.

ELIMINATION OF THE FLEXIBLE TARIFF

Mr. WALSH of Massachusetts. Mr. President, in the American Economist of February 13, 1925, is an article advocating the elimination of the flexible tariff. In view of the fact that the American Economist has been a staunch supporter of the high-protection theory of the Republican Party its position favoring the elimination of the flexible tariff is of special importance. The opposition to the flexible provisions of the last tariff bill appears to be almost unanimous. I ask that the article may be treated as being in the nature of a petition, referred to the Committee on Finance, and printed in the Record.

There being no objection, the article was referred to the Committee on Finance and ordered to be printed in the Record, as follows:

ELIMINATE THE FLEXIBLE TARIFF

The American Economist has never favored the so-called "flexible" provisions of the tariff act of 1922. We do not believe that the protectionist majority in the Congress which passed it were in favor of it. Chairman GREEN of the Ways and Means Committee, in a recent interview, pointed out the fact that the said provisions were never before the Ways and Means Committee, but were interpolated into the Fordney-McCumber bill by a Senate amendment. The conference committee of the two Houses accepted the amendment, and it became a part of the tariff act as a matter of compromise.

Chairman GREEN is outspoken in his opposition to the flexible provisions, as is made clear in different interviews which he has given out. We believe that many of those who originally favored the provisions have experienced a change of heart and now see that they should be eliminated.

There is no avoiding the fact that it was a mistake to try to enact an original tariff law at the time the present one was enacted. Conditions in other countries were in too chaotic a state, not to mention unsettled conditions in this country, to permit of sufficient information upon which to base a wholly consistent tariff act. That was why it was possible to secure the interpolation of the flexible tariff provisions into the bill. How much better if Congress had reenacted the Payne-Aldrich or the Dingley tariff as an emergency measure and wait for affairs to become more nearly settled. That was the proposition advocated by the American Protective Tariff League and favored by many of the most prominent Members of Congress. It is not necessary to discuss the reasons why that plan was not finally adopted.

But it is evident that the time has come to do away with the flexible tariff. If it had any good reason for existence at the time it was adopted, those reasons have now ceased to exist. The Constitution provides that Congress shall provide for the raising of revenue and that all bills for that purpose shall originate in the lower House. There is no provision in the Constitution for the delegation of this power. But we need not consider this phase of the subject at the present time, for the unsettled foreign conditions which existed in 1921 and 1922 have been clarified to a large extent. At least we now know what competition we must meet from Germany and the other countries of central Europe, and it is a foregone conclusion that the tariff will be revised by Congress during the life of the present administration. Hence there is no need to keep business unsettled by continuing the very flexible provisions as a part of our tariff law.

One thing has become very clear to all, namely, that the claim made by the proponents of the flexible tariff that rates of duty could be expeditiously revised under its provisions has no basis in fact. As investigations must be made both in this country and abroad in order to carry out the provisions as written in the law, it is obvious that they can not be expeditiously conducted. It has been found, too, that foreign nations resent the demands made by representatives of the Tariff Commission for access to the books of foreign producers in order that production costs may be ascertained for the benefit of American competitors, for that is what it amounts to in the final analysis. All other considerations aside, it looks a great deal like forcing a witness to convict himself, a thing which is prohibited by our laws.

We believe that every friend of business stability, of protection to American industries, and the highest degree of American prosperity will favor the abolition of the flexible provisions, thus leaving to Congress the sole power, as it is its duty under the Constitution, to revise our tariff laws and strengthen the weak spots.

ISABELL EASE

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably and without amendment the resolution (S. Res. 279) submitted by Mr. CURTIS on December 8, 1924, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay out of the contingent fund of the Senate to Isabella Ease, widow of William Ease, late an employee on the maintenance roll, Senate Office Building, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

SARAH BLACKFORD

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably and without amendment the resolution (S. Res. 299) submitted by Mr. CURTIS on January 15, 1925, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay out of the contingent fund of the Senate to Sarah Blackford, widow of Charlie Blackford, late an employee on the maintenance roll, Senate Office Building, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, and said sum to be considered as including funeral expenses and all other allowances.

MARGARET W. GILFRY

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably and without amendment the resolution (S. Res. 334), submitted by Mr. McNARY February 9, 1925, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay out of the contingent fund of the Senate to

Margaret W. Gilfry, widow of Henry H. Gilfry, late a clerk in the office of the Secretary of the Senate, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

HEARINGS BEFORE COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

Mr. KEYES. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably with an amendment Senate Resolution 335, authorizing the Committee on Public Buildings and Grounds to hold hearings. I ask unanimous consent for the immediate consideration of the resolution.

There being no objection, the Senate proceeded to consider the resolution (S. Res. 335) which had been submitted by Mr. FERNALD on the 10th instant.

The amendment was, on page 1, line 3, after the word "Sixty-eighth," to strike out the words "and Sixty-ninth Congresses" and to insert the word "Congress," so as to make the resolution read:

Resolved, That the Committee on Public Buildings and Grounds or any subcommittee thereof be, and is hereby, authorized during the Sixty-eighth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding 25 cents per 100 words to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee or any subcommittee thereof may sit during the sessions, recesses, or adjourned intervals of the Senate.

The amendment was agreed to.

The resolution, as amended, was agreed to.

HEARINGS BEFORE MILITARY AFFAIRS COMMITTEES

Mr. KEYES. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably with an amendment Senate Concurrent Resolution 30. I ask unanimous consent for the present consideration of the resolution.

There being no objection, the Senate proceeded to consider the resolution (S. Con. Res. 30) which had been submitted by Mr. WADSWORTH on the 18th instant.

The amendment was, on page 1, line 11, after the word "clerical," to strike out the words "or others," so as to make the resolution read:

Resolved, etc., That the Committees on Military Affairs of the Senate of the United States and the House of Representatives, or subcommittees thereof, be, and hereby are, authorized to sit jointly during the sessions or adjourned intervals of the Sixty-eighth and Sixty-ninth Congresses, at such times and places as may seem advisable to the said committees or their subcommittees; to make investigations of the condition of Army posts and forts and other properties maintained for the military arm of the Government; to employ such clerical assistance as may be required in the judgment of said committees, to send for persons, books, and papers, to administer oaths and to employ a stenographer or stenographers at a cost of not to exceed 25 cents per hundred words to report such hearings as may be had in furtherance of the purposes hereof; the expenses thereof to be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers certified to by the chairmen of the said committees or of their subcommittees and properly approved.

The amendment was agreed to.

The resolution as amended was agreed to.

INVESTIGATION OF THE BUREAU OF INTERNAL REVENUE

Mr. KEYES. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, with an amendment, Senate Resolution 333, submitted by the Senator from Michigan [Mr. COZZENS] on February 9, 1925, to extend the authority of the select committee of the Senate investigating the Bureau of Internal Revenue affairs.

The PRESIDENT pro tempore. The resolution will be read. The resolution (S. Res. 333) was read, as follows:

Whereas the select committee of the Senate appointed under authority of Senate Resolutions 168 and 211 of the Sixty-eighth Congress to investigate the Bureau of Internal Revenue was instructed to report its findings; and

Whereas the committee has not completed a thorough inquiry and will be unable to do so before March 4, 1925: Be it

Resolved, That the select committee of the Senate authorized in Senate Resolutions 168 and 211 of the Sixty-eighth Congress to investigate the Bureau of Internal Revenue and appointed under these resolutions is hereby authorized and directed to continue its work after

March 4, 1925, and, if deemed advisable by the committee, to sit and hold hearings in the interim between the adjournment of the Sixty-eighth Congress and the convening of the first regular session of the Sixty-ninth Congress, and that all authority granted in Senate Resolutions 168 and 211 of the Sixty-eighth Congress shall be and is continued under this resolution.

The PRESIDENT pro tempore. Is there objection?

Mr. MOSES. Mr. President, do I understand request was made for the immediate consideration of the resolution?

Mr. KEYES. I did not ask for its immediate consideration, Mr. President.

Mr. MOSES. The chairman of the committee did not ask that the resolution be now considered.

The PRESIDENT pro tempore. Is there objection?

Mr. MOSES. Mr. President, at the moment I am constrained to object because of the absence of two Senators who have spoken to me about the matter, both Senators being unable to be here earlier to-day.

Mr. ROBINSON. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will go to the calendar.

Mr. NORRIS. Mr. President, may not the resolution lie on the table without prejudice? The Senator from Michigan [Mr. COUZENS] is not now present.

Mr. MOSES. I have no objection to that course.

Mr. SMOOT. I hope the request of the Senator from Nebraska will be granted.

Mr. NORRIS. I ask that the resolution lie on the table without prejudice.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the resolution will lie on the table.

JOINT COMMISSION OF INQUIRY ON COTTON STATISTICS

Mr. KEYES. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably the joint resolution (S. J. Res. 183) establishing a joint congressional commission to make an examination and audit of cotton statistics in the Bureau of the Census, and for other purposes. The committee has recommended a change in form to a concurrent resolution and has reported, therefore, a new draft with some amendments to the original text, which I understand are satisfactory to the Senator from South Carolina [Mr. SMITH], who introduced the original joint resolution.

Mr. SMITH. Mr. President, the resolution involves a matter of very vital importance and should be adopted at this session. I ask unanimous consent for its immediate consideration.

Mr. MOSES. Before granting that consent I should like to have the resolution read, because I am interested in the amendments.

Mr. SMITH. The amendments are in accordance with suggestions which have been made.

The PRESIDENT pro tempore. The Secretary will read the joint resolution as amended before the question is put as to its consideration.

The READING CLERK. In lieu of Senate Joint Resolution 183 the Committee to Audit and Control the Contingent Expenses of the Senate report a concurrent resolution (S. Con. Res. 36), as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint congressional commission to be known as the Joint Commission of Inquiry on Cotton Statistics, and to be composed of three Senators, appointed by the President of the Senate pro tempore, and three Members elect of the House of Representatives for the Sixty-ninth Congress, appointed by the Speaker. The commission is authorized and directed (1) to make a complete examination and audit of cotton statistics in the Bureau of the Census, showing the carry over, the production, the consumption and distribution each year, and the correct amount of cotton now on hand, and (2) to make a report to the Congress as to its findings, together with recommendations for legislation, if any be thought necessary. The commission shall elect a chairman from among its members, and vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

For the purposes of this resolution, the commission, or any subcommittee thereof, is authorized to hold hearings and to sit and act at such places and times, to employ such experts and clerical, stenographic, and other assistants, to require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents in the custody of any Federal official, to administer such oaths, and to take such testimony as it deems advisable. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words. It shall be the duty of any governmental establishment, upon request by the commission, to cooperate with and render assistance to the commission in carrying out the provisions of this resolution. The expenses of the commission shall

be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers properly approved.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent for the immediate consideration of the resolution. Is there objection?

Mr. ASHURST. Mr. President, the last thing I shall do is to object to the resolution which my friend the senior Senator from South Carolina [Mr. SMITH] desires to have adopted. No doubt the resolution is worthy and ought to be agreed to, but I embrace this opportunity to propound an inquiry to the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate. I observe that a meeting of that committee has been held, and I now ask the honorable chairman of the committee why the committee have not reported the resolution submitted by the Senator from Oregon [Mr. McNARY] providing for the appointment of a subcommittee of the Committee on Irrigation and Reclamation to visit the Southwest to investigate certain problems and to obtain certain information which we of the Southwest deem important regarding the Colorado River? I am not content to see other resolutions singled out and adopted and then to observe this particular resolution being ignored.

Mr. KEYES. There is no particular reason why the committee has not acted, except that the committee has not been together to consider the matter and has had very little information in regard to it.

Mr. ASHURST. How could the committee have reported the various other resolutions just agreed to if it had not been together? Surely the committee did not report those resolutions without a meeting?

Mr. KEYES. We have not been able to get the committee together to consider the resolution to which the Senator from Arizona refers.

Mr. ASHURST. But the Senator was able to get the committee together to consider other resolutions.

Mr. KEYES. I can assure the Senator that the committee still has a number of resolutions pending before it. I hope the committee will act promptly on the resolution in which the Senator from Arizona is interested, and I know of no opposition to it.

Mr. ASHURST. I am not the author of the resolution concerning which I am inquiring. The Senator from Oregon [Mr. McNARY], who is able to take care of himself anywhere, is the author of the resolution; but I submit that every Senator from the Southwest would be recreant to his trust if he sat here and permitted a large number of resolutions of this character to go through whilst the resolution which probably is one of the most important of all, is pigeonholed.

I do not intend that that shall occur with my silence. It shall only be done over my protest; and I beg the able and diligent Senator from New Hampshire to reconvene his committee, and if he should then say he does not know the importance of the resolution there are many Senators who will convince his committee as to its importance.

Mr. JOHNSON of California. Mr. President—

The PRESIDENT pro tempore. The Chair is obliged to say that in view of the condition of the public business he can not entertain debate upon a request for unanimous consent.

Mr. JOHNSON of California. I simply want to make an inquiry of the chairman of the committee. I agree with what has been said by the Senator from Arizona. This is a most important matter to those of us from the West. Is there any opposition to the particular resolution?

Mr. KEYES. None that I know of.

Mr. JOHNSON of California. It has been before the committee, has it not, for some three or four weeks now?

Mr. KEYES. I had hoped that some one interested in the resolution would ask to come before the committee. We shall be glad to hear anybody who is interested in it.

Mr. JOHNSON of California. I had understood that the Senator from Oregon had taken up the matter with the chairman of the committee on many occasions.

Mr. KEYES. I do not recall that he has on many occasions. I think he has spoken to me twice and said something about the resolution.

Mr. JOHNSON of California. May we ask that there be action upon it at the earliest possible moment?

Mr. KEYES. Certainly; I shall be very glad to act upon it.

The PRESIDENT pro tempore. Is there objection?

Mr. SHORTRIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator rise to debate the question of whether consent shall be granted?

Mr. SHORTRIDGE. No; not to debate it. If the Chair will indulge me just a word, I have spoken to a number of the

members of the committee, and I have assurance that the resolution introduced by the Senator from Oregon will be reported favorably.

Mr. BORAH. Mr. President, may I ask the Senator a question? Is there any estimate of what this investigation will cost?

Mr. SMITH. The matter has been referred to the Committee to Audit and Control the Contingent Expenses of the Senate. The fact is, I think, that the cost will be very small. It is restricted to an investigation of the papers in the hands of the Federal authorities here, and under the resolution they are required to cooperate with the committee.

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution? The Chair hears none.

The concurrent resolution was considered by unanimous consent, and agreed to.

MECKLENBURG SESQUICENTENNIAL COMMISSION

Mr. OVERMAN. Mr. President, on behalf of the Senator from Pennsylvania [Mr. PEPPER], I report back favorably, from the Committee on the Library, without amendment Senate bill 4361, establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the patriotic action taken by the people of Mecklenburg County of North Carolina in May, 1775, in declaring their independence of the English Crown. I should like very much to have unanimous consent for the consideration and passage of this bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill just reported by the Senator from North Carolina?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That there is hereby established a commission to be known as the United States Mecklenburg Sesquicentennial Commission (hereinafter referred to as the commission) and to be composed of 11 commissioners, as follows: Three persons to be appointed by the President of the United States, four Senators by the President of the Senate, and four Members of the House of Representatives to be appointed by the Speaker. The commission shall serve without compensation and shall select a chairman from among their number.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to be expended by the commission for actual and necessary traveling expenses and subsistence while discharging its official duties outside the District of Columbia.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000 to be utilized in the discretion of the commission for the appropriate participation on the part of the United States in the celebration and observance at the city of Charlotte, county of Mecklenburg, N. C., on the 18th, 19th, 20th, 21st, and 22d days of May, 1925, of the one hundred and fiftieth anniversary of the patriotic action of the citizens of Mecklenburg County, N. C., in May, 1775, in declaring their independence of the English Crown.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRESIDIO MILITARY RESERVATION, SAN FRANCISCO

Mr. PEPPER. From the Committee on the Library I report back favorably, without amendment, Senate bill 4264, authorizing the Secretary of War to convey certain portions of the military reservation of the Presidio of San Francisco to the city and county of San Francisco for educational, art, exposition, and park purposes, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill just reported by the Senator from Pennsylvania? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to convey to the city and county of San Francisco, subject to the conditions hereinafter specified, for educational, art, exposition, and park purposes, that portion of the military reservation of the Presidio of San Francisco in the city and county of San Francisco, State of California, on which the Palace of Fine Arts is located, included within metes and bounds as follows:

Commencing at a point on the westerly line of Lyon Street, distant thereon 5.17 feet southerly from the northerly line of Bay Street, if extended and produced westerly, and running thence northerly along the westerly line of Lyon Street 1,196.80 feet; thence southwesterly

on a curve to the left of 612 feet radius, central angle 155° 47' 50", tangent to a line deflected 102° 6' 5" to the left from the preceding course a distance of 1,664.13 feet to the westerly line of Lyon Street and the point of commencement, containing 9.93 acres, more or less: *Provided, however,* in the event of war or any other great national emergency, the United States shall have the right, which it hereby reserves, to take exclusive possession of said land and all improvements thereon, without the payment of any compensation therefor, and to hold, occupy, and use the same during the continuance of such war or emergency.

Said grant shall become effective only in the event that the city and county of San Francisco shall grant to the United States the right to maintain and operate over its public streets a spur track railroad extending from Fort Mason Military Reservation in the city and county of San Francisco to said Presidio Reservation, over such route or routes as may be determined by resolution or ordinance of the board of supervisors of said city and county and approved by the Secretary of War. If, before the 1st day of July, 1927, the city and county of San Francisco shall fail to grant by valid ordinance to the United States the right to maintain and operate said spur track, this grant shall become null and void, and title to said premises shall revert to the United States: *Provided, however,* That in any event until the 1st day of July, 1927, said city and county of San Francisco may use, occupy, and retain possession of said Palace of Fine Arts and the ground upon which it is located.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROPOSED STATE TAX ON COTTONSEED OIL PRODUCTS

Mr. HEFLIN. Mr. President, a day or two ago I introduced a resolution regarding the proposed legislation in some of the States touching commerce between the States.

The PRESIDENT pro tempore. The Chair may suggest to the Senator from Alabama that at the conclusion of the routine morning business the resolution to which he refers will be laid before the Senate. The Senate is now receiving reports of committees. If there are no further reports of committees, the introduction of bills and joint resolutions is in order.

Mr. HEFLIN. I was simply going to state that I have rewritten the resolution. It has been modified, and I think now there will be no objection to it.

Mr. MOSES. Let it come up in the regular order, Mr. President.

The PRESIDENT pro tempore. The Senator from New Hampshire demands the regular order.

Mr. MOSES. The Senator's resolution will be reached in a very few minutes under the regular order.

Mr. HEFLIN. Very well.

AIR MAIL SERVICE BETWEEN NEW ORLEANS AND PANAMA CANAL ZONE

Mr. RANDELL. Mr. President, I introduce a bill to establish an air mail service between the city of New Orleans, La., and the Panama Canal Zone.

The bill (S. 4383) to establish an air mail service between the city of New Orleans, La., and the Panama Canal Zone was read twice by its title.

Mr. RANDELL. I ask unanimous consent of the Senate to occupy not exceeding three minutes in explaining the bill.

Mr. SMOOT. The Senator is not going to ask unanimous consent for the consideration of the bill?

Mr. RANDELL. Not at all. I just want about three minutes to explain the bill.

The PRESIDENT pro tempore. Without objection, the Senator has three minutes to explain the bill.

Mr. RANDELL. Mr. President, it would be difficult to estimate the advantages to be derived from an air mail service between New Orleans, La., and the Panama Canal Zone. When this is done other lines would spring up connecting the major route with the capitals of Mexico, Guatemala, Honduras, Nicaragua, El Salvador, Costa Rica, Panama, Colombia, Venezuela, and other South American countries, while air service would connect New Orleans with the principal cities of the United States.

Communication with the capitals of Latin-America is circuitous, difficult, and very slow. The mountainous character of the country has placed an effective barrier in the path of railroad development.

In the beginning such an air mail service may not produce sufficient revenue to be self-sustaining. This would be offset, however, by the tremendous increase in commerce which it would generate.

A pressing need exists for more rapid mail communication between these sections of the two Americas. Business can not

flourish when long delays are required for the exchange of letters between them. Telegraph and radio are doing their part, but are costly and have inherent limitations.

Speed in modern business is a prerequisite to the upbuilding of commerce. Speeding up commercial transactions and more intimate relations with Central and South America and the United States is the end desired. The demands of present-day affairs have developed transcontinental daily air mail service between New York and San Francisco. Like circumstances make necessary a similar facility between the United States and our sister republics on the south.

No opportunity should be overlooked to develop and strengthen a closer feeling of friendship between the United States and Latin-America, and there is no better way to accomplish this purpose than by setting up the means by which they may become more intimately associated with us in business and otherwise. These nations are our neighbors, but because of the slow method of mail communication extant we have grown to look upon them as a remote part of the world. If we can provide a service which will bring them days and weeks closer to our great markets it will have the effect of promoting a better understanding than anything else we can do.

That other governments are taking active steps to promote business with the Latin-Americans is indicated by the enterprising steps they are taking in encouraging trade. For instance, I am advised that an Italian exhibit ship recently called at Buenos Aires and other ports with an expensive and attractive display of the manufactured products of Italy.

New Orleans is the focal point of the Mississippi Valley, at which all business might be easily centered and redistributed to international points. It must not be forgotten that the center of population and manufacturing of the United States is in the Mississippi Valley, spread out fan shape from New Orleans. This city is, therefore, the logical point of departure, both commercially and geographically, for an air mail route connecting with Latin-America. Such a route would also be an invaluable adjunct to the International Trade Exhibition which will open in New Orleans on September 15 and which, in my opinion, is destined to play an important rôle in the upbuilding of American commerce.

The military value of such an air mail service in time of war would be difficult to estimate. America must have sufficient airplanes and trained pilots ready for national defense. This can best be secured by the commercializing of aircraft on the part of our Government.

Mr. President, I ask that the bill be referred to the Committee on Post Offices and Post Roads.

The PRESIDENT pro tempore. The bill will be so referred.

Mr. DIAL. Mr. President, I suggest that the Senator's bill be amended so as to provide for a route beginning in New York and going down the coast.

Mr. RANSDELL. We have a very wise committee on Post Offices and Post Roads, and they already have a good route from New York to San Francisco. I will say to the Senator that if they should wish to run it along the Atlantic coast, that would not meet with any objection from me. I should be glad to see it. I think we are going to have these routes all over the country in the near future.

BILL INTRODUCED

Mr. JONES of Washington introduced a bill (3,4384) for the relief of William H. Grayson (with accompanying papers), which was read twice by its title and referred to the Committee on Military Affairs.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL

Mr. FLETCHER submitted an amendment proposing to appropriate \$7,500 to pay for preparing a new edition of the Biographical Congressional Directory, in the discretion of the chairman or vice chairman of the Joint Committee on Printing, etc., intended to be proposed by him to House bill 12392, the second deficiency appropriation bill, which was referred to the Committee on Printing and ordered to be printed.

Mr. OVERMAN submitted an amendment proposing to establish a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the patriotic action taken by the people of Mecklenburg County of North Carolina in May, 1775, in declaring their independence of the English Crown, intended to be proposed by him to House bill 12392, the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. STEPHENS submitted an amendment intended to be proposed by him to House bill 12392, the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed as follows:

In the proper place in the bill insert the following:

"That the Secretary of the Treasury be and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth H. Rice, or her executors or administrators the sum of \$42,238.78, in compliance with the findings of the Court of Claims in the case of Elizabeth H. Rice against the United States, congressional number 13,689, and also in full of all demands arising out of the transactions referred to in said findings of the Court of Claims, and in compliance with Senate bill 49, which passed the Senate on January 21, 1924."

WRITS OF ERROR

Mr. WALSH of Montana. Some time ago the Senate passed the bill (S. 2693) in reference to writs of error, which went to the House and returned with an amendment. Thereupon the matter was referred to the Committee on the Judiciary, and now, by direction of the Committee on the Judiciary, I move that the Senate disagree to the House amendment, ask for a conference with the House, and that the Chair appoint conferees.

The motion was agreed to, and the President pro tempore appointed Mr. SHORTEIDGE, Mr. STERLING, and Mr. WALSH of Montana conferees on the part of the Senate.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated below.

H. R. 12300. An act to amend section 281 of the revenue act of 1924; to the Committee on Finance;

H. R. 919. An act for the relief of Frank Norton;

H. R. 1579. An act authorizing the disposition of certain lands in Minnesota;

H. R. 3618. An act for the relief of Nora B. Sherrier Johnson; and

H. R. 9687. An act permitting the sale of the northeast quarter, section 5, township 6 north, range 15 west, 160 acres, in Conway County, Ark., to A. R. Bowdre; to the Committee on Public Lands and Surveys.

H. R. 912. An act for the relief of John H. Barrett and Ada H. Barrett;

H. R. 2646. An act for the relief of Ida Fry;

H. R. 3839. An act for the relief of M. Castanola & Son;

H. R. 7744. An act for the relief of Wesley T. Eastep;

H. R. 8037. An act for the relief of Mallory Steamship Co.; and

H. R. 9471. An act for the relief of Henry T. Hill; to the Committee on Claims.

H. R. 811. An act for the relief of Frederick Marshall;

H. R. 1445. An act to change the retired status of Chief Pay Clerk R. E. Ames, United States Navy, retired;

H. R. 2921. An act for the relief of Paymaster Herbert Elliott Stevens, United States Navy;

H. R. 3771. An act for the relief of John Clarence Shea;

H. R. 5456. An act granting six months' pay to Lucy B. Knox;

H. R. 8566. An act for the relief of Claude S. Betts, late ensign (pilot), Naval Air Service;

H. R. 9969. An act for the relief of the New York Shipbuilding Corporation for losses incurred by reason of Government orders in the construction of battleship No. 42; and

H. R. 10347. An act for the relief of Robert B. Sanford; to the Committee on Naval Affairs.

H. R. 1226. An act for the relief of George Penrod;

H. R. 1397. An act for the relief of William A. Glasson;

H. R. 2197. An act for the relief of Orrin F. Strickland;

H. R. 2225. An act to correct the military record of Thornton Jackson;

H. R. 2415. An act for the relief of Robert E. A. Landauer;

H. R. 2528. An act for the relief of Hannah Parker;

H. R. 3727. An act for the relief of Andrew Cullin;

H. R. 4932. An act for the relief of Jacob F. Webb;

H. R. 5278. An act for the relief of Edward N. Moore;

H. R. 5639. An act for the relief of Walter Baker;

H. R. 6442. An act for the relief of William H. Armstrong;

H. R. 6824. An act for the relief of Joseph A. Choate;

H. R. 7131. An act for the relief of Pleasant R. W. Harris;

H. R. 7133. An act for the relief of James Shook;

H. R. 7713. An act for the relief of Walter L. Watkins, alias Harry Austin;

H. R. 7934. An act for the relief of Benjamin F. Youngs;

H. R. 8672. An act for the relief of Robert W. Caldwell;

H. R. 8749. An act to correct the military record of Tennessee McCloud;

H. R. 10763. An act for the relief of William Lentz; and

H. R. 11425. An act to correct the military record of Sylvester De Forest; to the Committee on Military Affairs.

H. J. Res. 226. A joint resolution for the relief of special disbursing agents of the Alaskan Engineering Commission, authorizing the payment of certain claims, and for other purposes, affecting the management of the Alaska Railroad; to the Committee on Territories and Insular Possessions.

PRICE OF GASOLINE

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which the Secretary will read.

The reading clerk read Senate Resolution 341, submitted by Mr. TRAMMELL on the 18th instant, as follows:

Resolved, That the Federal Trade Commission be, and it is hereby, directed to forthwith transmit to the Senate a copy of its report on its investigation in 1923 and 1924 of the price of crude oil, gasoline, and other petroleum products and other data pertaining to the operations of the oil companies and refineries.

Mr. MOSES. Mr. President, this is the resolution to which I raised some objection the other day. If the Senator from Florida is willing to direct the resolution to the President, and to insert the words "if not incompatible with the public interest," I shall not object to its consideration. I can not object under the rule, I understand, nor am I disposed to take any time of the Senate in attempting to prevent its passage.

I stated to the Senate the other day that I had been reliably informed that the report called for by the resolution is being used by the Department of Justice in the pursuit of an investigation to determine what, if any, legal proceedings shall be had.

Under those circumstances it is my opinion that the report should not become public property. If the Senator from Florida will agree to the insertion of the words "if not incompatible with the public interest," and will direct the resolution to the President, who can direct the Federal Trade Commission to send the report here, I shall interpose no objection. Otherwise I shall have to enter upon the use of a great deal of time in discussing matters relevant and irrelevant to the resolution. In the first instance, I shall have to suggest the absence of a quorum, because the junior Senator from Oklahoma [Mr. HARREL], who is vitally interested in the resolution, is not in the Chamber.

The PRESIDENT pro tempore. Does the Senator from New Hampshire suggest the absence of a quorum?

Mr. MOSES. I have not done so yet, as I am trying to find out whether the Senator from Florida is willing to accept the slight amendment which I am suggesting.

Mr. TRAMMELL. Mr. President, it is my understanding that this investigation was not made at the direction of the President, but that it was made on the initiative of the Federal Trade Commission, probably at the suggestion of the governors of certain States. That being true, I see no reason why we should call upon the President to transmit to the Senate this information instead of making a direct request on the Federal Trade Commission. Of course, I know the object and the purpose of the Senator from New Hampshire. It is to further suppress the information contained in this report. There is no use fooling ourselves or being deceived in the matter. If the Senate should pass a resolution requesting the President to transmit the report, and to say in the resolution "if not incompatible with the public interest," there would be every probability that we would never receive the information.

The Senator from New Hampshire may entertain the idea that the Senate and the public have no right to this information, but I entertain a contrary view, namely, that the investigation was carried on by a public commission, a commission that is serving the public, or which should serve the public, and not merely the President, that the Senate should have the information, and that the public should have the benefit of such information as may be contained in the report. This is peculiarly true in view of the fact that the oil companies throughout the country have within the past two or three weeks made what appears to be an exorbitant increase in the price of gasoline and of crude oil. The information called for by the resolution bears directly upon that subject.

I do not see why the Senate should surrender the entire supervision of this matter to the President and to the Department of Justice. It has been stated upon the floor of the Senate that the Federal Trade Commission made an investigation last year, and that has been the reason advanced why we should not adopt another resolution, such as I have introduced, making inquiry into the advance in the price of gasoline and of crude oil.

I do not like to agree to any amendment to a resolution which means the sounding of its death knell or the pigeonholing of the resolution, and that is what this amendment

would mean. That is the reason why the Senator from New Hampshire is advancing that idea. It is because he desires to further suppress the information that may be contained in this report. That is my view of the situation.

Mr. BRUCE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Maryland?

Mr. TRAMMELL. I will yield for a question only, not for a speech.

Mr. BRUCE. That is all I ask of the Senator, and my question is this: Has any statement been made by the President or by the Federal Trade Commission to the effect that there is any public reason why this report should be withheld from the public? I merely ask the question for information.

Mr. TRAMMELL. None has been made. There has been no public information given out in regard to the report. Not even to the press has there been furnished any information as to what the report contains. I understand that the press has been denied any information as to what is embraced within the report.

Mr. BRUCE. It has been denied?

Mr. TRAMMELL. I do not claim that the President has denied the information, but the press has been unable to obtain any information as to what is contained in the report.

Mr. BRUCE. No statement has been made by the President or the Federal Trade Commission that there is any public reason why this report should be confidential?

Mr. TRAMMELL. Not that I know of.

Mr. BRUCE. Then I shall vote for the resolution.

Mr. TRAMMELL. None has been made that I know of. I have heard of no reason why it should not be made public. I am unable to see why the Senate is not entitled to this information. It seems rather peculiar to me that this body passes resolutions almost daily for the investigation of everything on the face of the earth, but when it comes to a matter of such vital importance to the American people, a matter in which the entire citizenship of our country are interested, there are Senators who offer some technical objection as to why the resolution should not be adopted, or as to why it should be so trimmed about that it will not be effective and that no results will be obtained through the adoption of the resolution. I think the resolution should be adopted just as it has been offered. I do not like the idea of accepting amendments which would defeat the purpose and object of the resolution.

My resolution calling for an investigation into the recent increase in the price of gasoline has been objected to, but I see no reason why the Senate should not consider it, since it has been pending for a week. I should dislike to feel that I had to object to everybody else's efforts to get up matters by unanimous consent, but I have almost reached the point where I would feel that I should object to the consideration of any matter by unanimous consent if there is to be a policy on the part of one or two or three or four Senators to prevent even consideration of my resolution inquiring into the recent advance in the price of gasoline.

Mr. NORRIS. Mr. President—

Mr. TRAMMELL. I say that resolution should be considered. If the Senate wants to vote it down, let it be voted down, but let us have an expression on it.

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Nebraska?

Mr. TRAMMELL. I yield.

Mr. NORRIS. Why does not the Senator move that the resolution be taken up? He has a right to do that.

Mr. TRAMMELL. I have asked to have it taken up once or twice, but it was under unanimous consent, and objection was made.

Mr. NORRIS. An objection will not avail, even if it should displace something else. If the Senator would move to take it up, I have no doubt his motion would prevail.

Mr. MOSES. It is a resolution coming over from a previous day, is it not?

Mr. TRAMMELL. It is a resolution coming over from a previous day.

Mr. MOSES. Then the resolution is properly before the Senate at this time.

Mr. TRAMMELL. I do not care to accede to the request of the Senator, that we amend the resolution so as to kill it. I would like to have a vote on the resolution as I introduced it, calling on the Federal Trade Commission to transmit this report to the Senate for its consideration. I think the information called for is very pertinent, that it is information to which the Senate and the American people are entitled.

There was something said here the other day about the Department of Justice having this report, and that it would

probably do something or had already done something. The Department of Justice has done nothing except to file a suit in equity involving certain patents. That does not go to the main question. The main question is that of price fixing and the attitude and the practice of the oil companies in pyramiding prices at regular, frequent seasons throughout the year, when, as many think, there is no apparent justification for such abnormal and unreasonable advances in the price of gasoline. So it is no answer to this resolution to say that the Department of Justice has brought some kind of an equity suit seeking to establish whether there has been some infringement of certain patent rights on the part of one company that may belong to another company. There is no information before the Senate that the Department of Justice has done anything else whatever, although this report was filed with the President last June, eight months ago, and has been in the hands of the Department of Justice for six or seven months.

I think the Senate is entitled to the information, I think the country is entitled to the information, and for that reason I do not like to have the resolution hedged about so as to accomplish its defeat in a mild way. That is what the amendment would mean. It would mean the defeat of the purpose and the object of the resolution. I hope the resolution will be adopted.

Mr. MOSES. Mr. President, of course I am not presumptuous enough to think that I could conceal from the discerning Senator from Florida any motive which I might have in anything I attempted to do in the Senate. Nor am I presumptuous enough to think that any form of words which the Senator from Florida writes into a resolution can be improved upon. Nevertheless I will state my own motives for myself in the action which I have taken thus far on this resolution, and which I purpose to take. It is that I do not believe it proper for the Senate to withdraw from the Department of Justice a report of the Federal Trade Commission upon which the Department of Justice is conducting an investigation with a view to instituting legal proceedings.

The Senator from Florida points out that thus far the Department of Justice has done nothing but institute proceedings with reference to the use of certain patents. That is true, Mr. President, but I am informed, I think with reliability, that the Department of Justice is at work, through agents, several in number, upon this very report, with a view to ascertain whether further proceedings, even of a criminal nature, may not be had. Under those circumstances I would not wish to take the responsibility of bringing out the report and making it public property and of putting upon notice those persons, those corporations, those interests, which are under investigation, and which might be brought before the courts under proceedings duly instituted.

Therefore, I think this resolution should be couched in the usual form in which such resolutions are agreed to, and should be addressed to the President, who is the channel through whom we communicate with the executive departments. We do not customarily demand that public papers be sent here from a subordinate bureau or an independent establishment; we transmit our requests through the President. I think this resolution should also take that course.

I think this resolution also, in view of the facts which have been communicated to me and which I believe to be well authenticated, should contain the words "if not incompatible with the public interest," so that no one who may have been guilty of an infraction of the law shall be put upon notice of proceedings which are contemplated against him.

I do not know whether the recent increase in the price of gasoline is compatible with the increase in the price of crude oil or not. As a matter of fact, I have no personal interest in this matter. No drop of oil is produced in my State or in my section of the country. I hear no special outcry from my State or from my section of the country about prices of oil or of gasoline.

When the Senator from Florida attempts to point out, as a justification for the resolution in the form in which he presents it, that the Senate has been passing other resolutions of investigation, that is too sadly true. It is because the Senate, without forethought, rashly, impetuously, tumultuously even, and in a number which no one can possibly estimate, has passed resolutions of investigation and carried on a saturnalia of investigation, to no purpose, either practical or political, that the Senate has fallen in the esteem of the public. If for no other reason than that, I would seek to protect the Senate against further public reproach, because of another effort to embark upon a saturnalia of investigation.

At any rate, I can assure the Senator from Florida that the Senate will have a chance to vote on the two amendments which I deem to be simple, which I deem to be proper, and

which I had hoped he would accept. If he will not accept them and the Senate will not accept them, necessarily under the parliamentary situation I shall be compelled to submit; but it seems to me if the Senator from Florida wishes to accomplish no purpose other than that which the resolution points out, he would not wish to hamper the progress of justice in order that a form of words which he has drafted should pass without change through the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the resolution of the Senator from Florida.

Mr. MOSES. The Senator from Oklahoma [Mr. HARRELD], who is interested in the matter, is not present. Therefore I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum is suggested. The Clerk will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fernald	Ladd	Sheppard
Ball	Ferris	Lenroot	Shipstead
Bayard	Fess	McKellar	Shortridge
Bingham	Fletcher	McKinley	Simmons
Borah	Frazier	McLean	Smith
Brookhart	George	McNary	Smoot
Broussard	Gerry	Mayfield	Spencer
Bruce	Glass	Means	Stanfield
Bursum	Gooding	Metcalf	Stephens
Butler	Greene	Moses	Sterling
Cameron	Hale	Neely	Swanson
Capper	Harreld	Norbeck	Trammell
Caraway	Harris	Norris	Wadsworth
Copeland	Heflin	Oddie	Walsh, Mass.
Cummins	Howell	Overman	Walsh, Mont.
Curtis	Johnson, Calif.	Pepper	Warren
Dale	Johnson, Minn.	Phipps	Watson
Dial	Jones, N. Mex.	Pittman	Weller
Dill	Jones, Wash.	Ralston	Willis
Edge	Kendrick	Reed, Mo.	
Edwards	Keyes	Reed, Pa.	
Ernst	King	Robinson	

The PRESIDENT pro tempore. Eighty-five Senators having answered to the roll call, a quorum is present.

Mr. MOSES. The question before the Senate is on agreeing to the resolution of the Senator from Florida?

The PRESIDENT pro tempore. It is.

Mr. MOSES. I move to amend the resolution so that it shall read:

Resolved, That the President be and is hereby requested, if not incompatible with the public interest, to forthwith transmit to the Senate a copy of the report by the Federal Trade Commission on its investigation in 1923 and 1924, etc.

The amendment puts the resolution in the usual form of such inquiries. It may be that the Senate of the United States can not trust the President, but the country does.

Mr. TRAMMELL. Mr. President, with reference to the amendment proposed by the Senator from New Hampshire, I wish it known that it is not a question of not trusting the President, but it is a matter of requesting that the report come from the department which made the report. I take it that the Senate has as much right to this information and report as the President has to the report. For that reason I feel that we may, with perfect propriety and with perfect courtesy to the President, make the request direct upon the Federal Trade Commission for the report. For that reason, I hope the amendment proposed by the Senator from New Hampshire will not be adopted.

Mr. WALSH of Montana. Mr. President, the amendment proposed by the Senator from New Hampshire presents a rather important question, namely, whether the President of the United States can control the action of the Federal Trade Commission. I trust that idea will not be accepted by the Senate. I trust it will be understood that the Federal Trade Commission and the Interstate Commerce Commission and other bodies of like character discharging quasi judicial duties will not be regarded as under the domination of the President of the United States as are the various departments of the Government. My understanding about the matter is, that the President of the United States has no control whatever over the Federal Trade Commission or any of its acts. He has no authority to direct the Federal Trade Commission in any particular. If we want information from any of those bodies we must go to those bodies for the information.

I should have no objection to the amendment except the one I suggest, namely, that we ought to leave these bodies, so far as we can, as utterly independent as it is possible to do so to discharge their quasi judicial duties as nearly as they can be discharged by a court.

Mr. CURTIS. Mr. President—

Mr. WALSH of Montana. It seems to me it would be quite as consistent to ask the President of the United States to

transmit information possessed by the Supreme Court of the United States as by the Federal Trade Commission. I yield to the Senator from Kansas.

Mr. CURTIS. With the fact known that the Department of Justice is looking into these matters with a view to bringing suits, I desire to ask the Senator if he does not think that the words "if not incompatible with the public interest" should be written into the request for the report?

Mr. WALSH of Montana. If it were going to the President, of course, that language should be written in. There is no question about that proposition at all, but I raise the question whether it should go to the President.

Mr. CURTIS. I had reference to the suggestion of the Senator that the resolution should be directed to the Federal Trade Commission. If that be true, ought not that provision to be included, because it is a fact that the report is being used by the Department of Justice and investigators are now in the field investigating certain parts of the report. I have a positive statement to that effect from the attorney in charge of the case. Otherwise it might be that something would be made public which ought not to be made public.

Mr. WALSH of Montana. I agree with the Senator about that feature.

Mr. CURTIS. I think in view of that fact, the Senator ought to consent to the inclusion of those words.

Mr. MOSES. Mr. President, apparently there is an interesting colloquy between the two Senators, but we can not hear a word of it.

Mr. CURTIS. I beg the Senator's pardon. I was stating that I have positive information from the attorney in charge of this matter for the Department of Justice that they have had investigators in the field looking into the matters contained in the report with a view to bringing action if it were justified. Therefore, I think there ought to be incorporated in the resolution the words "if not incompatible with the public interest." So far as I am concerned I do not care if the resolution is directed to the Federal Trade Commission; I am inclined to think it should be addressed to the commission; but I do think they ought not to be asked to send the report here if it would interfere with the investigation of the case.

Mr. WALSH of Montana. I am quite sure that is not the intention of the Senator from Florida.

Mr. MOSES. Ma— I say to the Senator from Montana that according to the statement made by the Senator from Florida the report went to the President from the Federal Trade Commission. If the Federal Trade Commission had thought it to be of a nature to be given to the public, undoubtedly the Federal Trade Commission would have so given it. The Senator from Florida admits, even complains, that the assiduous gentlemen of the press have not been able to secure the substance of the report. Therefore, there must be some reason why the report has not been given publicity by those who wrote it or by those to whom it has been transmitted. Certainly, whether the resolution is addressed to the Federal Trade Commission or to the President—and I still maintain that the President is the proper avenue—the words "if not incompatible with the public interest" should be included in the resolution.

I can not conceive that the Senator from Florida wants the report to be made public if it is incompatible with the public interest to do so. I can not conceive that the Senator from Florida will undertake to set up his dictum of what is compatible with the public interest regarding a report which he has never seen, the contents of which he does not know, the import of which nobody can predict, inasmuch as the Department of Justice is working on it with a view to instituting legal proceedings.

Mr. BRUCE. Mr. President—

Mr. CURTIS. Mr. President, before the Senator from Maryland proceeds—

Mr. BRUCE. I merely wish to make a statement; I am not going to make any address. I simply wish to say that I think there is one thing that the Senator from New Hampshire [Mr. Moses] overlooked; that is, that under the provisions of the Federal Trade Commission law Congress itself has the right to direct an investigation, and, of course, Congress in some instances would be powerless to direct an investigation unless reports of this description were accessible to it. The commission has the right, on its own initiative, to inaugurate an investigation; and Congress has the separate and independent right to direct or to insist upon an investigation. It seems to me that makes quite a difference.

Mr. MOSES. Mr. President, will the Senator now permit me to interrupt him?

Mr. BRUCE. Yes.

Mr. MOSES. I am not questioning the right of the Federal Trade Commission to have made this investigation, and, of course, I know that the right of the Senate is undoubted to demand any document which it may wish from any department. Sometimes our requests and our demands for documents or for information from an executive department are received with courtesy and the document is produced, but sometimes such requests are completely ignored, and the Senate is not even accorded the courtesy of receiving the reply, "Yours received and contents noted." I am not raising that question at all, Mr. President; I am raising the question of the propriety of this action under the circumstances.

Mr. BRUCE. Yes; but how long is this right on the part of Congress to have access to an important document of that kind to be denied?

Mr. MOSES. I am not denying the right of Congress to have access to this document if the Senate by a majority vote shall agree to this resolution in any form. I know that the Senate is acting within its rights. Mr. President, I appeal to the Senator from Maryland as a lawyer, as a believer in justice, whether he thinks that a report upon which a prosecuting department is at work with a view to instituting legal proceedings should be made public prior to action being taken?

Mr. BRUCE. But the Department of Justice may never take any action at all, and it seems to me that Congress ought to be placed in a position to determine whether action should be taken or not.

Mr. MOSES. If the Senator wishes to impugn the motives of the Department of Justice, he may do so.

The PRESIDENT pro tempore. The Senate will be in order. Gentlemen at the rear of the Chamber will please take their seats until order is restored. The proceedings of the Senate will be suspended until Senators take their seats.

Mr. BRUCE. Mr. President—

The PRESIDENT pro tempore. The Chair will recognize no Senator until the Senate is in order.

Mr. BRUCE. I think I have the floor.

The PRESIDENT pro tempore. And there will not be order until gentlemen in the rear of the Chamber take their seats.

Mr. BRUCE. I think I have the floor, so far as a fact of that kind can be determined.

The PRESIDENT pro tempore. Did the Senator from Maryland understand the statement of the Chair?

Mr. BRUCE. Excuse me, Mr. President; I did not even hear the statement.

The PRESIDENT pro tempore. Proceedings will be suspended until order shall have been restored.

Mr. BRUCE. I thought that that order itself had been suspended.

The PRESIDENT pro tempore. Now, does the Senator from New Hampshire yield to the Senator from Maryland?

Mr. MOSES. The Senator from Maryland [Mr. Bruce] had the floor and I was interrogating him.

Mr. BRUCE. I simply wish to express my regret that I should have proceeded when the Presiding Officer had ordered the suspension of proceedings. I did not hear the statement of the Chair.

APPOINTMENTS TO TARIFF COMMISSION

Mr. SIMMONS. Mr. President, I rise to a question of personal privilege. I will detain the Senate for only a moment. On the 13th day of January of this year I read into the CONGRESSIONAL RECORD a short editorial from the Washington Post with reference to a certain letter that had been circulated by the National Tariff Council soliciting contributions for the purpose of certain propaganda to obtain the appointment of protectionist Democrats on the Tariff Commission.

I also put into the Record at the same time the letter referred to in the editorial published in the Post, and I briefly commented thereon. In order that the statement I intend now to make may be understood, I ask for a reprint in the Record of that editorial and letter and the brief comment that I made on that occasion.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The matter referred to is as follows:

APPOINTMENT TO TARIFF COMMISSION

Mr. SIMMONS. Mr. President, will the Senator from Washington yield to me for the purpose of putting certain documents in the Record?

Mr. JONES of Washington. I yield for that purpose.

Mr. SIMMONS. I want to read to the Senate a very brief editorial appearing this morning in the Washington Post under the title of "A serious charge," as follows:

"A SERIOUS CHARGE"

"The United States Sugar Association has issued a circular under date of January 9, signed by its secretary, in which it calls attention to a letter sent out by Jesse F. McDonald, former Governor of Colorado, now president of the National Tariff Council of the State. This extraordinary document, according to the sugar association's circular, solicits 'contributions of \$100 each from 100 different individuals, firms, and corporations for the avowed purpose of preventing the reappointment of Commissioner David J. Lewis and securing the selection of a "protectionist Democrat" in his place.'

"If this letter has been correctly quoted by the sugar association, the charge is one which can not be ignored. No matter what modifications might appear from a perusal of the context, the implication as set forth in the circular is of an unblushing attempt to bribe officials of the United States Government. What else can 'contributions' for the 'purpose of preventing' a reappointment mean?

"It would seem as if a great deal too much has been said, or much too little. It assuredly behooves one who has been honored by the people of his State, as well as a host of presumably reputable firms and individuals, to come forward to explain the meaning of their actions."

Mr. President, I wish also to put in the RECORD, along with the editorial, the letter to which it refers. If the Senator from Washington will grant me sufficient time, I would like to have the clerk read the letter.

Mr. JONES of Washington. I have no objection.

The PRESIDING OFFICER (Mr. MOSES in the chair). Without objection, the clerk will read as requested.

The reading clerk read as follows:

NATIONAL TARIFF COUNCIL,
Denver, Colo., August 15, 1924.

DEAR MR. ———: I am inclosing copy of a news item from a recent issue of the Pueblo Chieftain, which will give you a general idea of the work we are carrying on in behalf of the producers of Colorado.

The National Tariff Council is doing similar work in Alabama, Georgia, and other selected States in a concentrated effort to first break down the opposition to protect in the heart of the South and then use it as an influence in other States.

Of equal importance to this organization work is the appointment of a tariff commissioner to succeed Commissioner Lewis, whose term of office expires September 30.

Mr. Lewis is one of the three commissioners who voted to reduce the present tariff on sugar. The law requires that the Tariff Commission shall be bipartisan and Mr. Lewis's successor must be a Democrat.

The industries comprising the National Tariff Council, numbering more than 100, are putting forth their combined efforts to secure the appointment of a protectionist Democrat to this important position.

The success of this movement means that friends of raw materials will then constitute a majority of the Tariff Commission.

As you well know, there is a widespread movement now under way throughout the Nation for a general tariff reduction, especially on raw materials.

The tariff schedules affecting one of Colorado's leading money crops have recently been attacked and there is grave danger that other farm, ranch, and mine products may next come under fire.

The bankers, merchants, and producers of Colorado are aiding the movement to prevent this discrimination against our State and we want you to join in financing this activity.

Will you be one of 100 prominent citizens to subscribe \$100 to this worthy cause? Check should be made payable to the National Tariff Council and mailed to Clark G. Mitchell, care of the Denver National Bank.

Yours very truly,

JESS F. McDONALD, Colorado Chairman.

Approved:

Rox Cox,

President Colorado Bankers' Association.

W. E. LETFORD,

President Mountain States Beet Growers' Marketing Association.

BEN M. WHITE,

President Colorado Stockgrowers' Association.

W. J. H. DORAN,

President Colorado Manufacturers and Merchants' Association.

D. B. BIER,

President Colorado Creamery Butter Manufacturers' Association.

FRANK RAUCHFUSS,

Secretary Colorado Honey Producers' Association.

Mr. SIMMONS. Mr. President, I shall not trespass upon the time of the Senator from Washington, who very kindly gave me permission to interrupt him merely for the purpose of putting these documents into the RECORD. I do not at this time wish to comment at all upon the documents, either the editorial or the letter. I think they both speak adequately for themselves; but at some later time I shall revert to

this question and put into the RECORD other documents that are in my possession relating to this matter. For the present I content myself by making public in the RECORD what appears to be an attempt by grossly improper methods to influence the selection of the personnel of the commission.

Mr. SIMMONS. On February 12, Mr. President, referring to the same subject, I used this language:

A few weeks ago, on January 30—

That should have been January 13—

I read in the Senate an editorial from the Washington Post commenting upon a certain letter alleged to have been somewhat extensively distributed among certain classes in the country advocating the appointment by the President to membership upon this commission—

Meaning the Tariff Commission—

of Democrats known to favor a protective tariff. That letter was referred to in terms of unqualified condemnation in the editorial which I read from the Washington Post. The editorial did not contain the letter referred to. I happened to have in my possession a copy of the letter that had been given to me. It was a letter issued by some branch organization of the Protective Tariff League or some organization in some way associated with the Protective Tariff League.

I assumed, Mr. President, that I was justified in making that statement by reason of the fact that the letter to which I referred was issued by the American Tariff Council, an organization functioning in Denver and in the South, and particularly for the reason that the letter contained the following language:

I am inclosing copy of a news item from a recent issue of the Pueblo Chieftain, which will give you a general idea of the work we are carrying on in behalf of the producers of Colorado.

The National Tariff Council is doing similar work in Alabama, Georgia, and other selected States in a concentrated effort to first break down the opposition to protection in the heart of the South and then use it as an influence in other States.

I assumed that the American Tariff Council was in some way affiliated with the American Protective Tariff League, because both organizations were doing the same character of work—conducting propaganda in favor of the protective-tariff theory in the Southern States and in the West.

I have received a letter from the American Protective Tariff League, dated February 16, 1925. I will say, Mr. President, that by reason of the fact that other matters have so closely engaged my attention recently my correspondence has necessarily been somewhat neglected, and that letter, although several days old, was not brought to my attention until yesterday afternoon. I will not read the whole letter, but will quote certain portions of it and then ask that the letter entire may be printed in the RECORD:

Hon. F. McL. SIMMONS,

United States Senate, Washington, D. C.

HONORED SIR: The members of the American Protective Tariff League believe that you would not willingly do anyone an injustice and feel sure that you will have no hesitancy in correcting your remarks as reported in the CONGRESSIONAL RECORD of February 12, in which you place responsibility upon the Protective Tariff League in the following language—

Meaning responsibility for the letter of the National Tariff Council. I will now read the denial of the American Protective Tariff League, which is as follows:

There is no protective tariff league in the country other than the American Protective Tariff League, organized in 1885 under the society laws of the State of New York.

The American Protective Tariff League had nothing to do with the incident referred to, either direct or indirect. It has no branch organization or subsidiary.

The American Protective Tariff League believes in and advocates an adequate protective tariff to every product natural to our soil and climate, and its work is thoroughly understood by Members of the Congress. Its methods are an open book to you and your colleagues.

We knew nothing of the organization issuing the soliciting letter of August 15, 1924, until we saw its name in the daily newspapers when the letter was originally printed.

Mr. President, I am glad to read into the RECORD this statement of denial on the part of the American Protective Tariff League. If my remarks have done them an injustice, as from their statement may seem to be the case, I am very glad to make the correction.

I ask unanimous consent to have the entire letter from the American Protective Tariff League from which I have read printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter entire is as follows:

THE AMERICAN PROTECTIVE TARIFF LEAGUE,
New York, February 16, 1925.

Hon. F. McIL SIMMONS,

United States Senate, Washington, D. C.

HONORED SIR: The members of the American Protective Tariff League believe that you would not willingly do anyone an injustice, and feel sure that you will have no hesitancy in correcting your remarks as reported in the CONGRESSIONAL RECORD of February 12, in which you place responsibility upon the Protective Tariff League in the following language:

"I say the propaganda has been open and brazen. A few weeks ago, on January 30, I read in the Senate an editorial from the Washington Post commenting upon a certain letter alleged to have been somewhat extensively distributed among certain classes in the country advocating the appointment by the President to membership upon this commission of Democrats known to favor a protective tariff. That letter was referred to in terms of unqualified condemnation in the editorial which I read from the Washington Post. The editorial did not contain the letter referred to. I happened to have in my possession a copy of the letter that had been given to me. It was a letter issued by some branch organization of the Protective Tariff League or some organization in some way associated with the Protective Tariff League.

"The letter purported upon its face to have been addressed to 100 well-selected Democrats, as I understood it, but who were 'protectionist Democrats,' Democrats who, while affiliating with that party, did not agree with its views upon the tariff. It was addressed to them, advocating efforts to procure the appointment by the President of the United States to fill prospective vacancies upon the Tariff Commission of Democrats who entertain the Republican theory of the tariff and who in their action upon that commission would reflect the view of the Republican Party upon that question instead of the views of the Democratic Party."

Your previous remarks upon this subject are found in the CONGRESSIONAL RECORD of January 13, not January 30.

There is no protective tariff league in the country other than the American Protective Tariff League, organized in 1885 under the society laws of the State of New York.

The American Protective Tariff League had nothing to do with the incident referred to, either direct or indirect. It has no branch organization or subsidiaries.

The American Protective Tariff League believes in and advocates an adequate protective tariff to every product natural to our soil and climate, and its work is thoroughly understood by Members of the Congress. Its methods are an open book to you and your colleagues.

We knew nothing of the organization issuing the soliciting letter of August 15, 1924, until we saw its name in the daily newspapers when the letter was originally printed.

Very truly yours,

WILBUR E. WAKEMAN,
Treasurer and General Secretary.

HOOR OF MEETING TO-MORROW

Mr. CURTIS. I ask unanimous consent that when the Senate concludes its business to-day it adjourn to meet at 11 o'clock to-morrow morning.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent that when the Senate conclude its business for the day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection? The Chair hears none, and it is so ordered.

DEATH OF SENATOR M'CORMICK

Mr. McKINLEY. Mr. President, it is my sad duty to announce to the Senate the death of my late colleague, Senator MEDILL M'CORMICK. This is not the proper time and occasion for a fitting testimonial to be offered to his memory. At a later date I shall ask that a day be set aside upon which proper tributes may be paid to the life, character, and public services of Senator M'CORMICK. For the present I send to the desk the following resolutions and ask unanimous consent for their immediate consideration.

The resolutions (S. Res. 345) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep regret and profound sorrow the announcement of the death of the Hon. MEDILL M'CORMICK, late a Senator from the State of Illinois.

Resolved, That a committee of 10 Senators be appointed by the President pro tempore to take order for superintending the funeral of Mr. M'CORMICK, to be held in the city of Chicago, Ill.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDENT pro tempore appointed under the second resolution the Senator from Illinois [Mr. McKINLEY], the junior Senator from Kentucky [Mr. ERNST], the senior Senator from Maine [Mr. FERNALD], the junior Senator from California [Mr. SHORTEIDGE], the senior Senator from New York [Mr. WADSWORTH], the senior Senator from Alabama [Mr. UNDERWOOD], the senior Senator from Massachusetts [Mr. WALSH], the junior Senator from Utah [Mr. KING], the junior Senator from South Carolina [Mr. DIAL], and the senior Senator from Tennessee [Mr. SHIELDS] as members of the committee on the part of the Senate to superintend the funeral of the deceased Senator.

Mr. McKINLEY. Mr. President, as a further mark of respect to the memory of the deceased Senator, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 30 minutes p. m.) the Senate adjourned, the adjournment being, under the order heretofore made, until to-morrow, Thursday, February 26, 1925, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 25, 1925

The House met at 11 o'clock a. m.

The Rev. William McGuire Hoffman, Waugh Methodist Episcopal Church, offered the following prayer:

Our Heavenly Father, we acknowledge Thee as the giver of every good and perfect gift. We come to Thee praying for the gift of wisdom in the deliberation of this hour. Bless our country and make its influence of civic righteousness to be felt throughout the whole world. Lead us constantly in paths of truth and righteousness, and make us Thine. Through Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS

Mr. LONGWORTH. Mr. Speaker, several days ago I asked consent that the House might meet at 11 o'clock this morning for the purpose, as I then stated, of taking up and completing the consideration of the agricultural bill. I think the House has a right to understand that to-day should be given to the consideration of that bill. However, since then the conferees have agreed on a report on the postal increase bill, and they are ready to present their report now. I feel that with the understanding had in the House that it should not be done except by unanimous consent.

Mr. GARRETT of Tennessee. Mr. Speaker, if the gentleman is addressing his remarks to me, I know of no objection to that course being pursued; that is, permitting the conference report to be considered.

Mr. LONGWORTH. I felt that if any gentleman on the floor objected to bringing up that conference report we ought not to do it.

Mr. RAMSEYER. If the gentleman will yield, may I ask how much time does the gentleman figure it will take to dispose of the conference report on the postal pay bill?

Mr. LONGWORTH. The gentleman in charge could answer that.

Mr. PAIGE. Not over half an hour.

Mr. RAMSEYER. Does the gentleman wish to yield some time to some of us who wish to make final observations on the report?

Mr. PAIGE. Certainly.

Mr. RAMSEYER. Does the gentleman think he can get through without the necessity of a roll call? I shall not insist on a roll call, but anybody can raise a point of no quorum and object to the vote on the ground there is no quorum present; but I should very much like to see the agricultural bill disposed of and sent to the Senate. I, however, shall not object to the consideration of this pay bill if some time is going to be given for discussion.

Mr. PURNELL. If the majority leader will yield, I would like to ask the gentleman from Massachusetts in charge of the bill whether or not he has had this matter up with the chairman of the Committee on Agriculture? I did not learn of it until I came in the Chamber.

Mr. PAIGE. I have had it up with the chairman and other members of the committee. I would have seen the gentleman if I had had an opportunity of doing so.

Mr. PURNELL. I suppose the members of the Committee on Agriculture should be the first to be consulted and have a right to object. I do not want to object or stand in the way of the consideration of the postal bill, providing we can have